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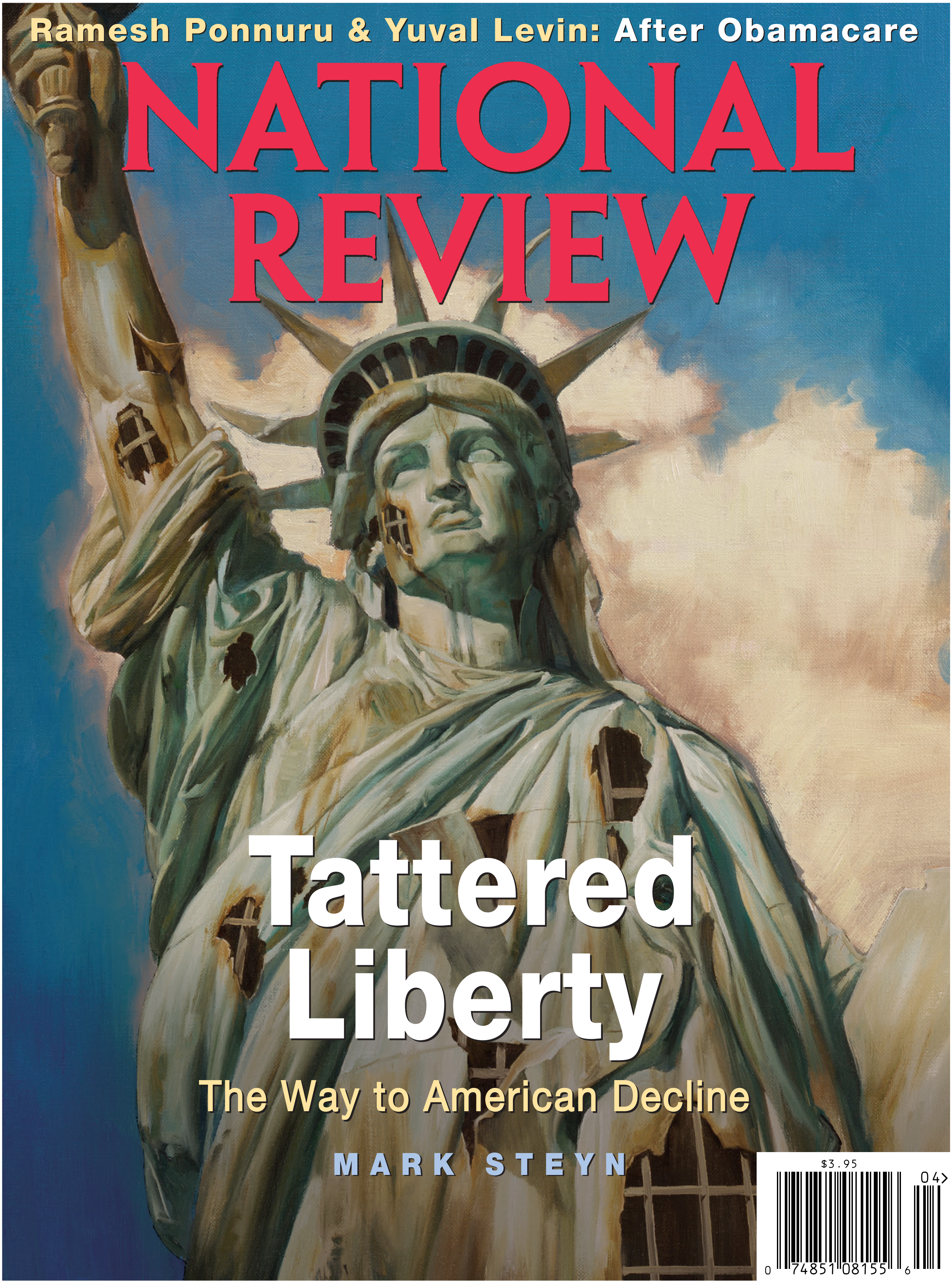

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Letters

Fluorescence

While I completely agree with Fred Schwarz about the importance of plurality in scientific funding sources ("The Uncertainty Principle," December 9), I take issue with his implied conclusion that British science is guided by "government policymakers" or "scientific bureaucrats." In the U.K.'s biomedical sciences, peer review is endemic, both in the initial assessments of grant proposals and in the work of committee members who make the ultimate funding decisions. If anything, Britain encourages independent scientific thinking at all levels, even among its doctoral students.

I am reminded of one of the supervisors of my Ph.D. at UC Berkeley, Roger Tsien, who won the Nobel Prize in Chemistry in 2008. Roger, an American who had done his Ph.D. and research fellowship at Cambridge, had already demonstrated trailblazing genius as a young post-doc by engineering molecules that one could insinuate into a cell to give off fluorescent signals of invisible events inside it. The early versions were imperfect, and there were doubting Thomases in Cambridge, but as an assistant professor at Berkeley he was able to perfect the molecules over the years with two full-time senior employees. This invention revolutionized cellular physiology, as well as creating the wherewithal for the establishment of several now–internationally recognized companies.

The Hollywood storyline boils down to "U.K. gives birth to science that could be exploited fully only in the U.S." That sounds like the U.S.-Japan plotline in the 1980s, but really it is just the golden rule: The man with the gold makes the rules. Exploitation takes substantial money, money requires a willing funder, and funders bet on the road less traveled only when there are multiple funders for the same type of science.

Harry Witchel
Senior Lecturer in Physiology
Brighton and Sussex Medical School, University of Sussex
U.K.

FRED SCHWARZ REPLIES: I'm sure Mr. Witchel is correct about the independence of British scientists, and I apologize if I seemed to suggest that they are in any way subservient to the state (though in Britain, as elsewhere, I think politicians would interfere more in science if they were capable of understanding it). The point I was trying to make was that in Europe, large-scale funding and organizational decisions tend to be concentrated in a few bodies, and the continuing ascendancy of the EU will only accelerate this trend. Even when everyone involved acts wisely, impartially, and with the best of motives, this sort of oligarchy tends to limit innovation. In America, through a combination of historical accident and benign neglect, "science policy" is much more widely dispersed, with the same beneficial effects that we see from competition in other areas (though, as my article noted, the EU comes out ahead in big-ticket, multinational projects like particle accelerators).

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The Week

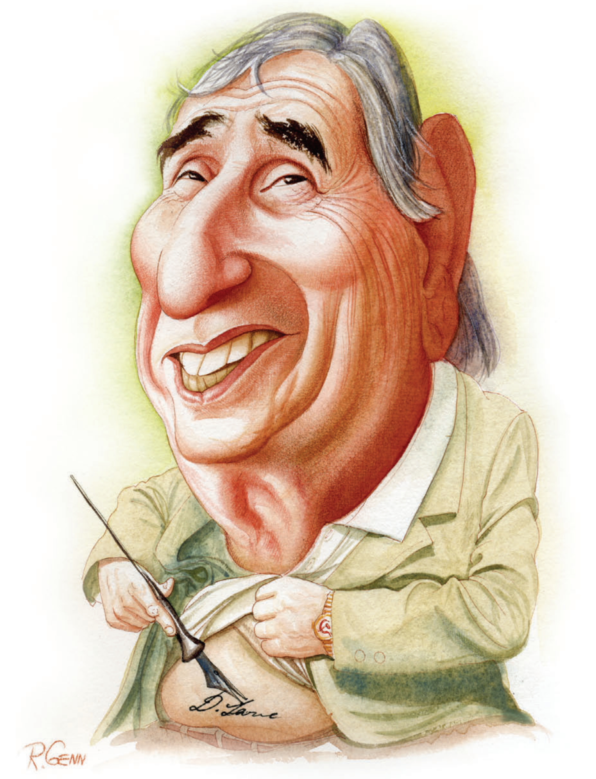
■ It looks like 2010 will see the advent of Obamacare and the return of the death tax. Coincidence?

■ Just before the Senate passed his health-care legislation, President Obama said, “We are on the precipice” of a new era in health care. *Precipice*. The man does have a way with words.

■ Ben Nelson is the Democratic senator from Nebraska who is pro-life except when he’s not—as when he signed off on the Senate health-care bill even though it gives tax credits for insurance plans that cover abortions. Nelson, who won reelection in 2006 with 64 percent of the vote, saw his unfavorable rating shoot up to 55 percent. “The good news” for him, according to Rasmussen Reports, “is that he doesn’t have to face Nebraska voters until 2012.” To start clawing back, Nelson bought a 30-second spot during the Holiday Bowl in which he defended the Senate bill on a number of points—except abortion. Nebraska Right to Life is not impressed. “One wonders,” says executive director Julie Schmit-Albin, if Nelson “misjudged the level of opposition to this legislation from his constituents, or if he had already made a decision to never seek office again,” which sounds like Cornhusker for *bye-bye*.

■ Rep. Parker Griffith of Alabama left the Democrats for the Republican party, in a seat that has not had a Republican congressman since Reconstruction. He cited the health-care bill as his chief reason. So far, no serious Democratic competition to Griffith has emerged, although he does face Republican rivals. Around the same time, Sen. Byron Dorgan, North Dakota Democrat, decided not to run for reelection. In a state where polls find more than 60 percent of the public opposed to Obamacare, Republicans are favored to pick up the seat. If Democrats suffer losses this fall over the issue, they will not be able to say they were not warned.

■ Chris Dodd of Connecticut is leaving the Senate. He’ll leave behind a lot of friends, too. Dodd was a “Friend of Angelo”—that’s Angelo Mozilo, former CEO of kamikaze lender Countrywide—and was thereby able to secure a sweetheart mortgage deal that saved him $75,000 or so. He was also a friend of Harry Reid, who helped keep the Senate’s ethics watchdogs, such as they are, off his ankle. Beyond the Senate, Dodd was a friend of financier Edward R. Downe Jr., who was convicted of insider trading, and of Downe’s business partner, William Kessinger, who helped Dodd buy a seaside spread in Ireland at a remarkably good price. But Senator Dodd is no mere pet of the plutocracy—in fact, he recently helped direct millions of dollars into the pockets of a favorite union constituency. Unhappily, that money came from a program to detect explosives coming into our airports; good timing is not Dodd’s characteristic virtue. Or is it? His political survival instincts are much more powerful than his ethical sense, and he was more than capable of detecting which way the wind was blowing. His resignation is a gift to Democrats: He was probably the only man in politics who could have cost them the Connecticut Senate seat in November.



David Levine, the famed illustrator of The New York Review of Books, *died in late December. A giant in his profession, he was described by his fellow cartoonist Jules Feiffer as “the greatest caricaturist of the last half of the 20th century.” Our own Roman Genn, an admirer and friend, here pays tribute.*

ROMAN GENN

■ With Democrats in charge, liberals are again attacking the filibuster. The complaint seems to be that it ought to be much easier to enact sweeping legislation that the American people oppose. In their screeds, standing in the way of unpopular bills comes to seem downright undemocratic. The current Democratic supermajorities already seem like the product of a passing mood on the part of the public. In a well-designed government, a temporary majority ought to have trouble remaking society. That would be the effect of a political culture dedicated to confining government to a few legitimate and achievable aims. The filibuster is no substitute for constitutional constraints, but for now it will have to do.

■ Opponents of the health-care bill, said Sen. Sheldon Whitehouse (D., R.I.) in the pre-Christmas marathon debate, “are desperate to break this president. They have ardent supporters who are nearly hysterical at the very election of President Barack Obama. The birthers, the fanatics, the people running around in right-wing militia and Aryan support groups, it is unbearable to them that President Barack Obama should exist." Now discount maybe 20 percent of that as passion-of-the-moment. Put aside birthers, militia, and Aryans as rhetorical hood ornaments. Senator Whitehouse plays—prematurely?—Barack Obama's ace of trumps. If Obama's current travails portend a long decline, beyond the ordinary ebb and flow of popularity, the post-partisan, post-racial presidency must fall back on what has always been its main selling point—Obama, as first black president, is History in the making; in rejecting him you reject It. If he and his supporters think and talk that way, we are in for a wild ride.

■ In Atlanta, Ben Bernanke gave a speech about the Federal Reserve's interest-rate policy and its effect on the housing bubble, which may be summarized: "Don't blame me." To use Fed interest rates to prick investment bubbles, such as the Clinton-era dot-com boom or the Bush-era housing inflation, is to use a meat ax where a scalpel is needed, Bernanke argued. The chairman is half right. The Fed probably should not jack up interest rates in response to every episode of irrational exuberance, but its habit of over-aggressively slashing rates in response to downers like the dot-com collapse and the housing meltdown is an invitation to trouble. The Fed's artificially low interest rates over the course of many years contributed to the housing bubble in a dozen ways, not the least of which was that the low rates subsidized mortgage lending while keeping fund managers hungry for higher returns, which they discovered in—surprise!—mortgage-backed securities. Bernanke blames poor regulation for the subprime crisis, but as one of the regulators in question (he was on the Fed's board of governors from 2002) he is hardly outside the perimeter of culpability. If regulatory defects are obvious only in retrospect—and that is implicit in Bernanke's defense of himself and the Fed—then why should we invest much hope in new regulatory initiatives today? Like the generals forever preparing to fight the last war, Bernanke is focusing his attention on the wrong end of the time line.

■ What emerged from President Bush's determination to abolish the estate tax and congressional Democrats' zeal to keep it was a phased and temporary reduction, with the rate dropping to zero in 2010 and then snapping back up. Congress briefly debated doing something about this perverse situation but could not reach an agreement. The debate was, as usual, dominated by arguments about justice on both sides. The typical Republican believes that death should not be a taxable event. The typical Democrat believes that it is wrong to tax the worker but not the heir. Spare a moment to consider the practical side of the issue. The estate tax reduces the incentive to save and invest, and thus the nation's capital stock; it adds immense complexity to the tax code and causes a lot of inefficient tax-avoiding behavior; and when these costs are taken into account it is not clear that it generates any money at all for the federal government. We have finally hit the right tax rate, if only for one year.

■ The newest version of TurboTax, the tax-preparation software, adds a new question, in helpful bold type: "Do any of these apply to this W-2? . . . I worked in the U.S. for a **foreign government** or **international organization** and need to pay self-employment tax." So simple that even a treasury secretary can understand.

■ For this administration, jihad has an upside: It's a shovel-ready stimulus opportunity. It promises to create jobs by having Uncle Sam relieve the pols in Obama's home state of the $145 million

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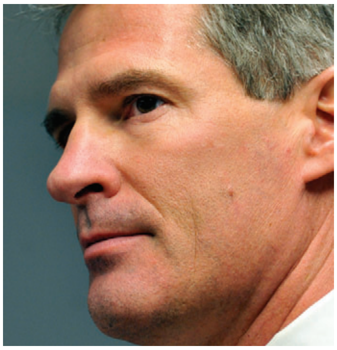
Thomson Correctional Center, about 150 miles west of Chicago and currently less than 10 percent full. We would then spend untold millions more to harden Thomson for occupation by trained jihadists, all for the purpose of fulfilling the president's reckless pledge to shutter Guantanamo Bay—on which taxpayers have already spent hundreds of millions to create a first-rate, Geneva Convention–compliant detention facility where the war prisoners in question are now securely held offshore under military guard. The scheme is financially irresponsible, and Democratic fantasies about creating thousands of new jobs were just the delusional catnip that caused the white-elephant prison to be built in the first place. Far worse, transferring the jihadists into the U.S. would increase the likelihood that federal judges would order some of them released within our borders—in addition to increasing the threat of domestic terror plots. The solution for detaining enemy combatants is already obvious: Gitmo.

■ The John Birch Society is co-sponsoring the American Conservative Union's big annual conference. The Society's paranoia has outlived the Cold War that inspired it: A recent perusal of its website turned up the same old dreary theories about David Rockefeller and the New World Order, denunciations of the "American colonial enterprise," and hints that maybe our soldiers should not follow orders in the pursuit of that enterprise. We have no idea what the ACU is thinking but assume that the Birchers are eager to ferret out any Communists in its ranks.

■ Former president Jimmy Carter has been a harsh, sometimes unhinged, critic of Israel. He was a great friend of Yasser Arafat, and he has defended positions of Hamas. The title of one of his books, *Palestine: Peace Not Apartheid*, indicates his mindset. In a surprise move, he has offered what he called an "Al Het" to Jews. This term, in modern Hebrew, refers to a plea for forgiveness. In a letter sent to JTA, the global Jewish news service, Carter said, "We must recognize Israel's achievements under difficult circumstances, even as we strive in a positive way to help Israel continue to improve its relations with its Arab populations, but we must not permit criticisms for improvement to stigmatize Israel. . . . I offer an Al Het for any words or deeds of mine that may have done so." This was a rather thin apology. And cynics noted that Carter's grandson, Jason, is poised to run for the Georgia state senate in a district where Jews are influential. Both grandfather and grandson laughed this off. In any case, we can think of a few other Al Hets that Carter might issue.

■ The death of economist Paul Samuelson occasioned, in these pages and elsewhere, recollection of the great economist's persistent overestimation of Soviet Communism and its economic policies. But as George Mason University economics professor Alex Tabarrok points out, it wasn't just Samuelson: The standard economics textbooks also overestimated Soviet economic growth, from the 1960s right up until the bitter end. Samuelson originally predicted that the Soviet economy would overtake that of the United States in the literarily fraught year of 1984, but by the 1980s he was forced to push that date into the 21st century. "Samuelson provided no acknowledgment of his past failure to predict and little commentary beyond remarks about 'bad weather' in the Soviet Union," Professor Tabarrok observes, and he notes with amusement that another standard economics text, Campbell R. McConnell's *Economics*, estimated that the Soviet economy was half the size of the U.S. economy in 1963 but was growing at three times the American rate. In 1990, after ten editions of the textbook had been printed, McConnell still had the Soviet economy growing faster—and, in a mathematical impossibility, still half the size of the U.S economy. The academic economists weren't alone—our CIA grossly overestimated Soviet economic and military strength—but it is fair, given the political climate of late-20th-century academia, to ask whether the professors were seeing what they wanted to see. Worth bearing in mind the next time you're lectured on the recent death of capitalism.



Scott Brown

GRETCHEN ERTL/AP

■ A tip of the cap to Scott Brown, a Bay State Republican with JFK's good looks, for giving the GOP a shot at capturing Teddy Kennedy's former Senate seat. A week before mid-January's special election, a Rasmussen poll found Brown trailing Martha Coakley, the Democratic frontrunner, by nine points—not bad for a little-known conservative legislator in Taxachusetts. Despite the odds, Brown, dismissed as a pretty face by liberals (he posed for *Cosmopolitan* to help pay for law school), has run a solid, though imbalanced, campaign: While praised by Mitt Romney and John McCain, Brown aired an odd ad fading JFK's image into his own and cited Princess Diana as an inspiration. Conservative enthusiasm aside, Brown's chances remain slim—this is *Massachusetts*—but that he has a chance at all is a testament to the political climate that President Obama has created.

■ After a court in Montana ruled that the state constitution protected assisted suicide, the state supreme court considered the question. It ducked the constitutional issue by ruling that the legislature had never banned assisted suicide in the first place: Unbeknownst to everyone, it was already legal. The court's key move was to assume that allowing physicians to withdraw life-sustaining support, as Montana law explicitly does, is tantamount to allowing them to kill their patients. But ending treatment, even in the knowledge that death is highly likely to ensue, is not the same thing as performing an act that can be intended only to cause death. The law can regard these situations differently and in most places does—as it did in Montana until the court decided that the legislature had silently adopted its moral views and rejected the Anglo-American legal tradition.

■ Kingsbridge Armory, in the Bronx, is a cavernous building erected nearly a century ago to house a National Guard regiment. The Guard abandoned it in the mid-1990s, and after a decade and a half of sporadic use a developer proposed to convert the edifice into a shopping center that would bring some 2,200 jobs to the depressed borough. The New York City government, which owns the armory, was enthusiastic about the plan, but the city council said no way—unless retail outlets in

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the center agree to pay all their workers at least $10 an hour (the federal minimum wage is $7.25). This proviso, predictably, has killed the project. "We see how the interest of the people has prevailed over corporate America," crowed borough president Ruben Diaz Jr. "We here maintain that the notion that any job is better than no job no longer applies." That's debatable, but if New York politicians keep preventing New York residents from selling their labor for what it's worth, any job will certainly become scarcer than no job.

■ The Copenhagen summit on climate change collapsed because China, the world's largest greenhouse-gas emitter, refused to make any binding promises to reduce its emissions. President Obama had hoped to return from the summit with some evidence that, if the U.S. were to cap its own emissions, the developing world would emulate our folly. Instead the summit confirmed that global warming remains a Western fixation; the developing world has more pressing concerns. Without firm commitments from China, India, and Brazil, it is unlikely that the U.S. Senate will hamstring the American economy by passing the cap-and-trade bill Obama wants. That's the good news. The bad news is that the EPA might well hamstring the economy anyway.

■ The mainstream media, in their war coverage, are fond of "grim milestones"—ever-increasing death tolls, particularly ones that end with several zeros. When the total is a single zero, however, they lose interest. Case in point: Zero was the number of American combat deaths recorded in Iraq in December. This little-reported achievement was the result of several factors: continuing drawdowns, handovers of contested areas to the Iraqi army (which is also seeing reduced casualties), and a steady decrease in terrorist attacks on troops. All this has been made possible by the success of President Bush's surge strategy, which brings up two more zeros: the amount of credibility enjoyed by Sen. Harry "The Iraq War Is Lost" Reid, and the probability that President Obama, so quick to blame everything bad on Bush, will give him any credit for this success.

Congress's Bane

We have been so distracted by the health-care debate that we collectively missed an important milestone. Back in 2006, Republicans larded legislation with 9,963 pork-barrel projects, according to calculations performed by Citizens Against Government Waste. In fiscal year 2009, Democrats spent a smidgen less money on 10,160 pork-barrel projects.

That number, of course, understates the problem, since it excludes special favors that are not explicit spending. Ben Nelson's shameful deal for Nebraska might be dishonorable, but it's technically not pork.

Where do all the special favors come from? The answer is simple, and widely accepted: lobbyists.

Lobbyists are the most amazingly productive workers in society. If NATIONAL REVIEW decided to end its archaic and indefensible opposition to pork and instead rally political support for the William F. Buckley Jr. Museum—to be funded by taxpayers and placed on the Mall—it could probably achieve its goal by hiring the right lobbyist.

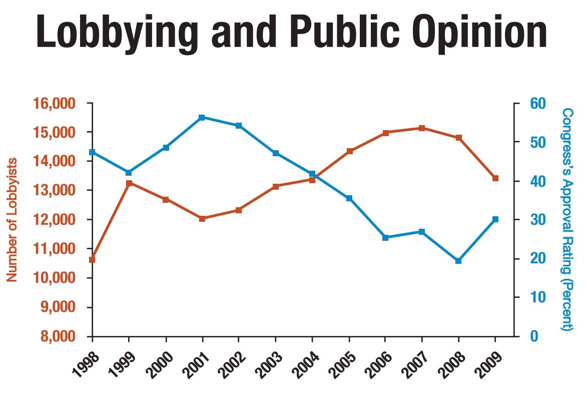
And while hot lobbyists are expensive—Heather Podesta's six-person firm is reported to have made $3.4 million this year—they are worth every penny. A recent study by University of Kansas professors Raquel Meyer Alexander, Stephen W. Mazza, and Susan Scholz found that lobbying expenditures on one 2004 tax provision provided $220 worth of benefits for each dollar spent. As a Ph.D.-holding economist, I can assure you with great certainty that 22,000 percent is a good return on investment.

But for those of us who have not played the lobbying game, the process is extremely disconcerting. Lobbyists often twist the attention of legislators away from the nation's problems and funnel taxpayer resources toward narrow interests.

They are so good at what they do that subtle variations in their numbers have a visible impact on congressional approval. The nearby chart compares the ups and downs of congressional approval, as measured by averaging the year's Gallup-poll data against the number of lobbyists. The negative correlation implies that the more lobbyists there are working in Washington, the lower will be Congress's approval. Voters know when their money is being squandered.

The correlation is statistically significant, and sizable. Congress could, all else equal, increase its approval rating from today's 25 percent to 50 percent simply by sending 1,500 lobbyists to Guantanamo. Maybe that's why they haven't closed it yet.

—KEVIN A. HASSETT


Lobbying and Public Opinion

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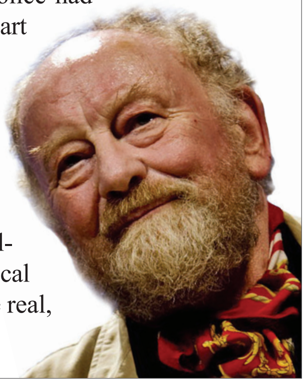
■ Of all the libels that were directed against Bush in relation to the Iraq War—and they were legion—the most offensive, and the least intelligent, was the calumny that he had engineered the war to enrich buddies in the U.S. oil business. Never mind the risible misreading of Bush and his agenda implicit in that belief; the simple economic fact is that if Bush had wanted to hand a juicy slice of Iraqi oil profits to American firms, he could have done so, at practically no cost, in exchange for lifting economic sanctions against the regime of Saddam Hussein. Iraq, as it happens, has lately completed a second round of bids on oil-development projects in the country, and U.S. companies are conspicuous by their absence from the list of winners. Sonangol, the state-run firm in Angola, was awarded a big contract, as were Royal Dutch Shell, the Russian giant Lukoil, and Norway's Statoil. China's CNPC won contracts in the first round, along with British Petroleum. Exxon Mobil and Occidental secured some relatively modest development business in the latest auction, but no American firm was given a contract. The Left's slogan "No Blood for Oil" turned out to be accurate—as prediction.

■ The Iranian theocracy's war on Iranians continues. In year-end violence, government thugs in Qom disrupted the funeral of Ayatollah Hossein Ali Montazeri, a disaffected cleric, and attacked a car carrying opposition politician Mir-Hossein Mousavi. That was theater. In Tehran they went further, murdering Mousavi's nephew. The protesters filling the streets to commemorate Shiite festivals and the deaths of their comrades have begun attacking pro-government militia forces. The regime, meanwhile, calls its enemies "mohareb"—enemies of God—while the chief of police warned, with a straight face, that the "era of tolerance is over." President Obama, on his Hawaiian vacation, condemned "the violent and unjust suppression of innocent Iranian citizens," while in the new year Secretary of State Clinton blasted "ruthless repression." It's many lives late, but better late than never. Let's hope that the era of tolerance for the Iranian regime in Washington is ending.

■ On the nuclear front, the administration is moving into its "next phase" with Iran, which promises to be as ineffectual as the last one. Now that Iran has blown through Obama's end-of-the-year deadline for a deal on its nuclear program, the administration wants to apply a new round of sanctions. (There have already been three rounds of U.N. sanctions.) Needless to say, these will be carefully nuanced, consistent with the administration's famous subtlety in dealing with Iran. Obama wants them directed only at the Revolutionary Guards, a worthy target to be sure. But the narrower the focus, the less likely the regime is to yelp. On top of that, the U.N. Security Council probably won't approve anything too stringent, which means the administration will have to rely on a "coalition of the willing" that will lack key countries. Then the sanctions will have to be enforced, which is devilishly hard. In the end, we will have as much loophole as sanction, and will be left with the same essential choice we have now and have spent years evading: Either acquiesce in Iran's acquiring a nuclear weapon, or use force to stop it.

■ The Gaza Strip stands as a monument to the determination on the part of Palestinian Arabs to destroy every prospect they have ever had of enjoying a civilized life. The 1.5 million inhabitants of the place exist in utter wretchedness. There are chronic shortages of energy, food, and clean water. There is no economy to speak of. Health statistics are dire—except that female fertility is among the highest outside Africa. Government is by the terrorist gang Hamas—elected, of course—whose sole notion of statecraft is the inciting of incessant wars against Israel. Naturally the Israelis have responded by sealing off the Strip where it borders their nation. Gaza's only other border is an eight-mile one with Egypt. Now, tired of the smuggling operations into Gaza via tunnels under that border, and also of Hamas fanatics' proselytizing among their people, the Egyptians are building an "iron fence"—piles driven 30 yards deep, with pressure hoses to flood tunnels with sea water. Hamas has denounced the barrier as an atrocity, but the real atrocity here is the determination of Gazans to put their spite against Israel ahead of any consideration of their own welfare or their children's future.

■ Kurt Westergaard is the man who drew the famous cartoon of the Prophet Muhammad with a turban in the shape of a bomb. For him, it was all in a day's work. Doesn't free speech mean that you don't have to censor observations even though they might be offensive? Not so for Muslims, evidently, numbers of whom have been sending Westergaard death threats. Luckily he has therefore taken precautions, and could hurry with his five-year-old granddaughter into a specially built safe room and press an alarm button when Mohammed Muhideen Gelle broke into the house. A Somali and a militant in the Islamist movement in that unhappy country, Gelle had armed himself with an ax and a knife and was screaming about "blood" and "revenge." Police on the scene shot and wounded him in a hand and a leg before arresting him (Danes are saying that the police need more target practice). It turned out that Gelle had been in Nairobi last August at the same time as Hillary Clinton, and Kenyan police had arrested him on suspicion of being part of a plot against her. Released for lack of evidence, he had the necessary documents to fly where he liked for the next act of terror—yet another major security failure. The idea that a young man from Somalia would try to murder an elderly man in Denmark for his political artwork seems too outlandish to be real, but the world has come to that.



■ "Lawfare"—the process whereby political ends are pursued in the courts—is a British specialty that has trapped prominent people, most notably the former Chilean president Augusto Pinochet. The latest victim of it is Tzipi Livni, Israeli foreign minister at the time of the anti-terror operations a year ago in Gaza and well known for her moderate stance toward all things Palestinian. Lawyers for Hamas in Gaza and in London heard that she was about to visit London and obtained a warrant for her arrest under "universal jurisdiction." This invention allows courts everywhere to try cases of war crime and "war crime" even if the events occurred abroad and the suspect is not a citizen. Politics may thereby trump justice, as in this case. Duly warned, Livni stayed away. The Israeli government exploded with anger at the idea

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that self-defense could be considered a war crime, and the British blushed. Prime Minister Brown and his foreign secretary stated that officials from other countries must be allowed to travel freely as part of their responsibilities. They propose to change the procedure for obtaining a warrant in such circumstances, though "universal jurisdiction" looks set to remain a most useful weapon for lawyered-up propagandists.

■ Liu Xiaobo is a name to bear in mind. He is a Chinese intellectual who spearheaded what is known as Charter 08. This is a document calling for nothing less than democracy and the freedom of man in China. It has been signed by about 10,000 others. Unsurprisingly, the PRC seized Liu, indicting him on December 10, which is International Human Rights Day—a nice touch. The government sentenced him on Christmas Day—to eleven years in prison. He has already spent five years in prison: two right after the Tiananmen Square massacre, and three later in the 1990s. Before Liu's most recent sentencing, our State Department spokesman said that China's actions "are uncharacteristic of a great country." Yes, of course they are. But they are entirely characteristic of China under the Communists.

■ If you head west 350 miles from Peking you are in Ordos prefecture, deep in the Chinese "autonomous region" of Inner Mongolia. The autonomy is perfectly theoretical; the population here is 88 percent Han Chinese, the native Mongolians having suffered the same fate as the Tibetans and Uighurs, but more comprehensively. It is a barren landscape, but very prosperous nonetheless, thanks to the prefecture's containing much coal and mineral wealth. There is a city, also named Ordos—a bustling place, but one that developed fast and chaotically with the resources boom. The Chinese government, eager to pump some air into its GDP numbers via a huge infrastructure project, and perhaps vexed by the disorderliness of boomtown Ordos, has now built a new Ordos City 20 miles from the present one, laid out Brasília-style, with wide boulevards, grand modernist office buildings, and housing for a million people. Alas, the people have not shown up and the city stands empty. Revealingly, though, most of the living space has been purchased by Chinese citizens elsewhere, as investments. We wish the investors good luck, while wondering how you say "real-estate bubble" in Chinese.

Who is doing the burning in the *banlieues*? Why, 'youths,' of course. Who did you think?

■ Moscow talk-radio host Matvey Ganapolsky said the following thing on air in October: "Stalin signed an order that children can be shot from the age of 12 as enemies of the nation. Which of the bastards dares say a single word in his defense?" Well, here's one: Eugene Dzhugashvili, Stalin's grandson. Loath to let the insult to his family's honor pass unchallenged, Mr. Dzhugashvili has in fact initiated a lawsuit against the offending radio station, seeking 10 million rubles in damages. He probably has the support of many Russians: A respectable polling firm turned up 37 percent who look on the late *vozhd* with "respect, sympathy, or even admiration." Rumors that Vladimir Putin's administration will file an amicus brief on Mr. Dzhugashvili's behalf are, however, so far unsubstantiated.

■ We now have a score for the traditional New Year's Eve car burnings in the *banlieues*—low-income-housing projects surrounding central Paris. The tally is 1,137, a tad below the 1,147 burnings reported last year. Impressive, nonetheless, in view of the fact that France's interior ministry fielded 45,000 police during the night—10,000 more than a year ago. Who is doing the burning? Why, "youths," of course. Who did you think?

■ Jacob Zuma, the president of South Africa, has taken himself a wife. That makes three: Polygamy is traditional among Mr. Zuma's people, the Zulus, and is legal in South Africa. There have also been two former wives (suicide, divorced). In addition to the three current wives, Mr. Zuma has a fiancée, Gloria Bongi Ngema, age unknown. Estimates of the number of Mr. Zuma's children range from 10 to 19, either two or three of them by the lady he has just wed, and one by the aforementioned fiancée. Mr. Zuma is 67 years old. His supporters are wont to describe him as a "Zulu traditionalist." A conservative, then? We have alerted our Subscriptions Department.

■ Remember those late-1990s movies about an asteroid on collision course with Planet Earth? It could happen, though the chances per century are infinitesimal. Among the candidate asteroids is Apophis, a thousand-foot, 30-million-ton rock whose orbit comes close to our own. Current calculations suggest a 1 in 250,000 chance of Apophis's hitting us in the year 2036. Not to worry, though: Anatoly Perminov, chief of the Russian space agency, has announced plans to deflect the menacing asteroid. Let us hope that before this mission gets past the planning stage, someone apprises Mr. Perminov of the Law of Unintended Consequences.

■ The folks at California's Berkeley High School have a problem, or think they do: The school's black and Hispanic students score much lower on standardized tests than whites and Asians. Their proposed solution: eliminate laboratory courses in science, which according to the *East Bay Express* are "largely classes for white students"; lay off the five teachers who teach them; and use the money thus saved to tutor underachievers. So high-school pupils in Berkeley—home of the University of California, where so many groundbreaking scientific discoveries have been made—will no longer learn to perform titrations, dissect frogs, or analyze circuits, for fear that the wrong sort of student will learn too much and thus increase the racial gap. Why not just break the smart kids' glasses?

■ The pianist Evgeny Kissin has done something remarkable. Born and raised in the Soviet Union, and now a British citizen, the 38-year-old Kissin is one of the most famous classical musicians in the world. And he wrote a fantastically eloquent letter to the BBC, lamenting and excoriating its "slander and bias" against

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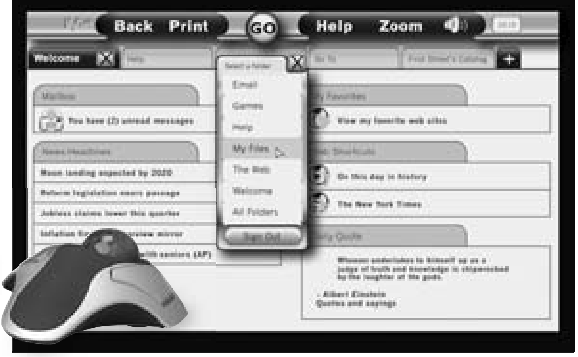

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Israel. He said that he heard echoes of "the old Soviet anti-Zionist propaganda." When he became a British citizen in 2002, he explained, he was "inspired and proud to belong to the country of Winston Churchill," whose contempt for anti-Semitism was magnificent. And the BBC "had always been a beacon of light, of truth and objectivity to those of us behind the Iron Curtain, in the 'Evil Empire.'" What had happened to this sterling news service? The classical-music world, like the arts and academia at large, is not exactly friendly toward Israel. In writing as he did, sad to say, Kissin stuck his neck out.

■ The Boykin (S.C.) Christmas Parade on the Sunday before Christmas is a special event, including a Road Kill Cook-Off and a gospel concert at the Swift Creek Baptist Church, and drawing 20,000 spectators. The lieutenant governor of South Carolina was supposed to be this year's grand marshal, but snowstorms snarled his travel plans. So the organizers asked NR's longtime managing editor, Priscilla Buckley, to do the honors. She writes: "I found myself riding around in a white carriage—white horse, driver in top hat and tails—making like Queen Elizabeth. It was great fun, and I felt pretty silly." We're sure it was easier than certain NR editorial meetings. Three cheers for Priscilla, for the new decade, and for Boykin, for asking the former to usher in the latter.

■ In 1947 six men, led by Norwegian Thor Heyerdahl, set out to test the theory that pre-Columbian South Americans might have reached Polynesia by sailing across the Pacific on balsa-wood rafts. Heyerdahl and his colleagues built such a raft and launched it from Peru, making landfall 101 days later in French Polynesia. The subsequent book, *Kon-Tiki*, became a worldwide bestseller. Heyerdahl himself died in 2002, leaving only one member of his crew still alive, fellow Norwegian Knut Haugland. A hero of Norway's World War II resistance to the Nazi occupation, Haugland had also taken part in the 1943 British sabotage raid on a Norwegian "heavy water" facility, thought by the Allies to be important to German nuclear-weapons researchers. After the *Kon-Tiki* adventure, Haugland served in the Norwegian military, and helped found and run both the Kon-Tiki Museum and a museum of the Norwegian Resistance. He died this Christmas Day past in Oslo, aged 92. R.I.P.

AT WAR

In a Twist

Umar Farouk Abdulmutallab aspired to change himself from a pampered, sad-sack 23-year-old to a martyr by blowing up Northwest Airlines Flight 253 to Detroit and its passengers on Christmas Day. But the lethal payload of plastique in his underwear failed to explode, and his attempt to ignite it achieved nothing more than the maiming of his genitals. (If that image found its way online, it could be a warning to other would-be martyrs.)

Prompt action by civilians helped avert mass murder: Abdulmutallab was jumped and subdued by passenger Jasper Schuringa as soon as his preliminary explosion went off; other passengers put out the flames. Also praiseworthy is the terrorist's father, wealthy Nigerian banker Alhaji Umaru Mutallab, who was so worried by his son's slide to radicalism that he contacted Nigerian officials and the U.S. Embassy in Abuja in mid-November to warn them.

JANET NAPOLITANO: NBC NEWSWIRE/WILLIAM B. PLOWMAN/AP

There isn't much other praise to go around. Janet Napolitano, homeland-security secretary, said "The system worked" two days after the bombing. This was such a howler that President Obama himself had to reverse course, blasting "human and systemic failures." If he fired Napolitano, this would be merely a symbolic gesture, but symbols count: Punishing her inability to recognize failure when she sees it would at least get the attention of her soulmates, who are legion. And it is always possible that the administration, in a change of course, would find a suitable secretary.

What else went wrong? Young Abdulmutallab was trained and armed in Yemen (al-Qaeda in the Arabian Peninsula took credit for his deed). In its rush to close down Gitmo, the Obama administration had been dispersing the hard-core remnant to their home countries, which for many is Yemen: To purge ourselves of perceived sin, we recruited for the other side. Now the administration has wisely, if belatedly, stopped the Yemen Express.

Abdulmutallab had a valid visa. Though he was put on a terror watch list because of his father's warnings, the visa was not yanked. Time to yank the granting of visas from the State Department, which values friendly relations with foreigners above all else, and move it to Homeland Security, where the focus might actually be on security.

More than eight years after 9/11, we do not connect dots or use all the technology we have. One positive step would be to put everyone who comes under any suspicion on a list for additional screening; another would be to expand the no-fly list. Boarding an airplane is not a right.

But bureaucratic and technical fixes will do only so much. America has to get serious about profiling. The Transportation Security Administration has picked 14 "countries of interest" and terror-sponsoring states, subjecting passengers on flights originating from or passing through them to extra scrutiny. Our policy should be, for want of a better word, discriminating.

Abdulmutallab was sent immediately to a civil trial. His lawyer, unsurprisingly, does not appear to have advised him to tell us everything he knows about his recruiters and handlers. We tried the 1993 World Trade Center bombers in regular courts. 9/11 then showed that we are up against international ideological pirates, not common criminals. We should treat them accordingly.

But the final lesson is one of stoicism. The enemy in this war treats every non-jihadist as a combatant, and the world as its battlefield. Every day, men and women in the military and intelligence agencies risk and lose their lives for us. Our duty is to understand that we too are on the firing line, and to go about our business with calm, defiance, and courage.

HEALTH CARE

A Botched Operation

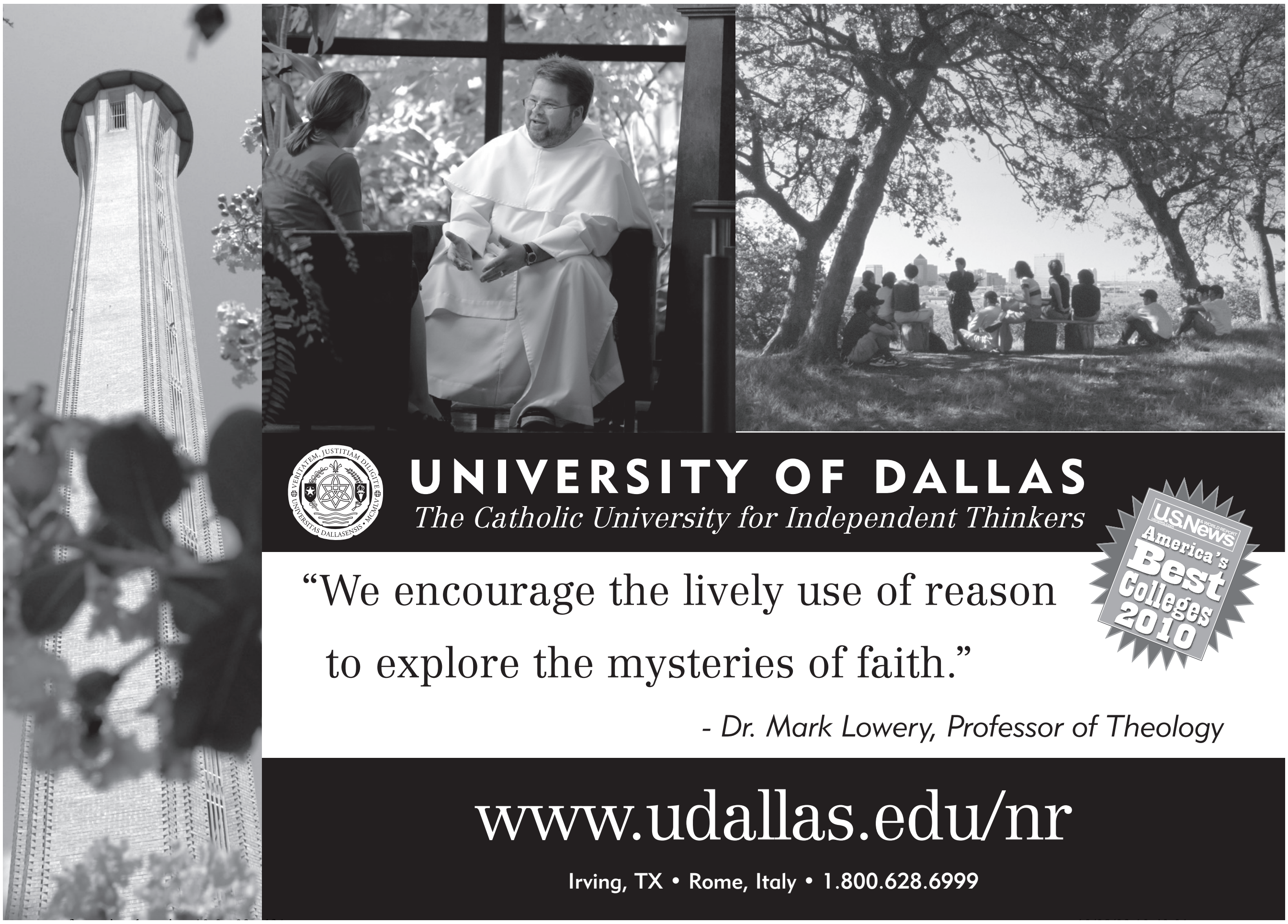
THE House and Senate have now each passed a health-care bill. It remains to be seen whether they can agree to pass the same one, especially since their negotiations will take place amid public hostility to the entire enterprise.

The Senate bill is likely to provide the template for the negotiations. To the dismay of the Left, it lacks a new government-run insurer. Instead it imposes on the industry a new business model that could never survive in a free market and makes up for the imposition by forcing Americans to buy its products. As far as we can tell, the only reason to carry out this maneuver is to have an industry that can be called "private" while actually acting as an agency of the government. The industry's products will be more expensive, and its profits pure waste.

Both bills expand Medicaid, ensuring that many Americans—some of whom lack health insurance and some of whom have good insurance—will now have low-quality insurance that many doctors refuse to take. They will also cut Medicare, crippling its popular private-sector elements and inducing doctors and hospitals to turn down Medicare patients, too. One of the Mayo clinics, touted by President Obama as a model for reform, has announced already that it will not be accepting Medicare payments because it does not want to accept Medicare price controls. Both bills include mandates on employers that are guaranteed to reduce hiring, wages, or both.

Scores of House Democrats have pledged to vote down any bill that lacks a government-run insurer. We will now see whether they are as good as their word or their threats are empty. Pro-life Democrats in the House may also be tested, since the Senate bill provides federal funding to help people buy abortion coverage.

Most of the bill will go into effect only after several years. Democrats are in a rush to pass it not because they long to provide immediate help to the sick but because they hope that public anger will fade before the elections. There is still time to persuade legislators to reject this senseless bill, or, failing that, to persuade voters to reject the legislators.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Obamacare: Act II

Whatever happens in the House, this debate is far from settled

BY RAMESH PONNURU & YUVAL LEVIN

JOURNALISTS all over Washington, D.C., have already written the big story for February. The headline will be "Democrats Score Major Win on Health Care." The lead: "After a bruising battle, President Obama has accomplished what Harry Truman and Bill Clinton couldn't. His friends and foes alike see comprehensive health-care reform as the most significant change in American government in decades. . . . White House sources say that while the president is of course pleased by the historic achievement, he intends to continue his recent focus on the economy and jobs in the months ahead, and signs of economic recovery will soon result in a political recovery for the Democrats."

Passage of health legislation is probable, though not nearly as certain as the Washington consensus would have it. But the extensive debate over the legislation has revealed more opportunities for conservatives than anyone imagined possible a year ago. Moreover, that debate will not end if the Democrats' bill passes—and in fact, the opportunities may increase.

The resilience of conservative attitudes on the part of the public is the chief reason those opportunities exist. The reigning assumptions a year ago were that the financial crisis had made the public much more favorable toward government activism than it had been during the age of Reagan, and that the new president's eloquence would allow him to rally the public behind his agenda. Neither assumption proved true.

The polls show a public that is skeptical, even resistant, toward big government in general and this health legislation in particular. President Obama's statements on health care have failed to arrest, let alone reverse, the growth of opposition. As the new year began, the chief political argument impelling congressional Democrats to enact the legislation was no longer that it would be popular, but that passing the bill would let them change the subject. Passage would indeed be historic: There is no modern precedent for such sweeping legislation's becoming law without a public consensus in its favor.

Republicans were supposed to be powerless over health legislation, marginalized in the House and unable to sustain a filibuster in the Senate. They were nonetheless able to drive much of the public debate. They did so by resisting the temptation to accept the inevitability of a liberal health-care overhaul and make a deal that would have merely tinkered with it around the edges—the only sort of deal that could have been on offer, given the balance of forces in Washington. The Democrats were not even willing to meet the Republicans halfway on tort reform, which would not have required them to abandon any of their bill's core elements.

The Left, upset about the Senate's abandonment of its cherished dream of a health-care system run directly by the government, has taken to complaining about that body's unrepresentative nature. And they're right; the Senate does not reflect the public's views. It is well to the left of them. In retrospect, we can see the 2006 and 2008 elections as repudiations of Republican performance rather than as affirmations of contemporary liberalism. The financial crisis, in particular, gave the Democrats their large majorities in Congress, so it's no surprise that they are finding it hard to use those majorities to advance an agenda completely unrelated to that crisis. If the Senate were a truly representative body, it would have voted down the health-care bill.

Some liberal hotheads, frustrated by the bill's slow progress and many compromises, urge the abolition of the filibuster, or even of the Senate. But for the rest of us, solutions to the problem of unrepresentative legislation lie closer to hand. The first is for the public to reduce the power of organized liberalism in the 2010 and subsequent elections. The second is for Congress to reject (or, if it passes, for a future Congress to repeal and replace) the terribly flawed health-care legislation liberals are now championing.

Repeal is commonly judged impossible. Conservatives have long worried, and liberals have hoped, that nationalized health insurance would permanently shift our politics to the left: Americans would grow accustomed to depending on the federal government for their health coverage, and would attribute the system's failures to underfunding rather than structural flaws. But Democrats have designed this year's legislation in a way that makes this scenario unlikely to unfold anytime soon.

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get Office to report that their plan would spend less than $1 trillion over the next ten years, so they rigged the bill to generate such a report. They achieved that goal in part by making tax increases and Medicare cuts go into effect several years before the bill's benefits do. This sequence is likely to create years of political vulnerability for the new scheme. Voters will see mostly pain, not gain, from the legislation in its first four years—and four years is a very long time in politics. Conservative politicians will not have to threaten existing benefits in order to press for repeal, and they will be able to point to the bill as an example of the Democrats' misplaced priorities while championing their own version of health-care reform.

In recent months, many Democrats have operated from the assumption that they have to pass this bill to avoid political disaster, while Republicans have operated from the assumption that if the bill passes, they have lost the health-care fight permanently. Both assumptions now appear to be wrong. Instead of moving off the stage, health care, along with the economy, looks likely to remain atop the domestic agenda throughout this congressional-election year, especially if the Democrats pass a bill that the public hates and that will also put a drag on the economy.

Passing the misbegotten health-care bill will not remove the albatross from around the Democrats' necks as long as Republicans persist in highlighting its many flaws.

Most voters still want what they have always wanted on health care: lower costs, higher take-home pay, and greater security—all accomplished with the least possible disruption to their current insurance arrangements. The Democrats are poised to pass a massively expensive bill that achieves essentially none of this. Republicans have tried to argue (as they should do much more forcefully over the next ten months) that a few changes to tax law and regulation could address these concerns much better, by fostering the development of a market in individually owned insurance policies. Those reforms would also increase the number of people with insurance. This modest and constructive agenda would not require fines on people who opt out of insurance, federal boards to decide what constitutes appropriate medical practice, or huge new taxes that stifle economic growth.

Such an argument, which can serve as a means of opposing Obamacare now and of calling for its replacement with actual health-care reform if it passes, is the obvious path for Republicans in 2010, since it will connect public unease with Obamacare to the case for economic growth through fiscal restraint. The Democrats' economic platform is of a piece with the party's assumptions that it can run Americans' health care from Washington and that the appropriate response to public doubts is to hunker down. Passing the misbegotten bill will not remove the albatross from around the Democrats' necks as long as Republicans persist in highlighting its many flaws. We have already seen this type of strategy work with a massively expensive bill that delivered very little in practice: Obama's stimulus package has grown less and less popular since it passed, the opposite of what its backers thought would happen.

In their rush to pass something quickly, and their desire to mask the costs of their plan behind a moderate CBO score, the Democrats have created a bill that just might turn health care into a Republican issue. If Republicans embrace the opportunity by refusing to change the subject, by pressing the kinds of gradual concrete reforms they have been talking about all year, and by understanding how making a persistent case for conservative health-care reform can play to their strengths, they may find themselves with a great opportunity in 2010.

We stand at the end of the beginning of the health-care fight, not the beginning of the end. And more than ever, it's a fight the Right can win. **NR**

A Most Uncomfortable Parallel

What Clement Attlee can teach the Right about Barack Obama

BY ANDREW STUTTAFORD

LET'S just agree that if you are looking for someone with whom to compare Barack Obama, the mid-20th-century British prime minister Clement Attlee does not come *immediately* to mind. Some might opt for FDR, some the Messiah, others the Antichrist or, harsher still, Jimmy Carter. Attlee? Not so much.

To start with, there's the whole charisma thing. Attlee was the Labour leader who humiliated Winston Churchill in Britain's 1945 election, but that victory (one of the most sweeping in British history) was more dramatic than the victor. No Obama, the new prime minister was shy, understated, and physically unprepossessing. Balding, sober-suited, and with an unshakeable aura of bourgeois respectability, Attlee resembled a senior bureaucrat, a provincial bank manager, or one of the more upscale varieties of traditional English murderer. If you want an adjective, "dull" will do nicely. As the jibe went, an empty taxi drew up, and out stepped Attlee. His speeches were dreary, largely unmemorable, and marked mainly by a reluctance to deploy the personal pronoun: Not for Attlee the "I"'s and "me"'s of Obama's perorations. Clem was a modest man, but then, said some, he had much to be modest about.

That's an insult that's often attributed to Winston Churchill, but almost certainly incorrectly: Churchill had considerable respect for the individual who defeated him. Realize why and comparisons between the stiff, taciturn Englishman and America's president begin to make sense. For the GOP, they are good reason to be alarmed.

There are the superficial similarities, of both character and résumé. Despite their

Mr. Stuttaford is a contributing editor of NATIONAL REVIEW ONLINE.

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VOTE ATTLEE

Clement Attlee

very distinct camouflages both men are best understood as being cool and calculating, not least in their use of an unthreatening public persona to mask the intensity of their beliefs and ambitions. The two even have in common their pasts as "community organizers," in Attlee's case as a charity worker amid the poverty of Edwardian London's East End, a harrowing and intoxicating experience that drove him to socialism. More important still is their shared eye for the main chance. In a private 1936 memo, Attlee (by then leader of his party) noted how any future European war would involve "the closest regimentation of the whole nation" and as such "the opportunity for fundamental change of the economic system." Never let a crisis go to waste.

Attlee was right. In 1940 the Labour party was asked to join Churchill's new national coalition government (with Attlee serving as deputy prime minister), and it wasn't long before Britain had been reengineered into what was for all practical purposes a command economy. The extension of the state's grasp was theoretically temporary and realistically unavoidable, but it quickly became obvious that the assault on laissez faire would outlive the wartime emergency. The crisis had overturned the balance of power between the public and private sectors. It was a shift that, when combined with Britons' widespread perception of pre-war economic, military, and diplomatic failure, also shattered the longstanding political taboos that would once have ensured a return to business as usual when the conflict came to an end. With Britain's *ancien régime* discredited (it's debatable quite how fairly), there was irresistible demand for "change." Prevailing over the Axis would, most Britons hoped, mean that they could finally turn the page on the bad old days and build the fairer, more egalitarian society they felt they deserved.

It is a measure of how far the political landscape had been altered that by March 1943 Winston Churchill was announcing his support for the establishment after the war of "a National Health Service . . . [and] national compulsory insurance for all classes for all purposes from the cradle to the grave," a stance that echoed an official report published to extraordinary acclaim the previous year. Churchill did, however, take time to warn that it would be necessary to take account of what the country could afford before these schemes were implemented.

Such concerns were alien to Attlee. The abrupt end of American aid in the form of the Lend-Lease program within a month of the Labour victory had left the U.K. facing, in Keynes's words, a "financial Dunkirk." The clouds cleared a little with the grant of a large, if tough-termed, U.S. loan, but the risk of national bankruptcy remained real for some years. Attlee pressed on regardless. The creation of the welfare state was his overwhelming moral and political priority. He had been presented with a possibly unrepeatable opportunity to push it through, and that's what he did. To carp was mere bean counting. If there were any gaps, they could surely be filled by the improvements that would come from the government's supposedly superior management of the economy and, of course, by hiking taxes on "the rich" still further. Is this unpleasantly reminiscent of the manner in which Obama has persisted with his broader agenda in the face of the greatest economic crunch in over half a century? Oh yes.

There's also more than a touch of Obama in the way that Attlee viewed foreign policy and defense. A transnationalist *avant la lettre*, the prime minister thought that empowering the United Nations at the expense of its members was the only true guarantor of national security, a position that made his inability or unwillingness to grasp the meaning of either "national" or "security" embarrassingly clear. It is no surprise that he was reluctant to accept the inevitability of the Cold War with a Soviet Union already on the rampage. Attlee would, I reckon, have sympathized with Obama's hesitations in the face of today's Islamic challenge. Mercifully, reality—and the U.K.'s tough-minded foreign secretary—soon intervened. Britain adopted a more robust approach to its national defense (sometimes misguidedly; too many resources were devoted to an unsustainable commitment to some of the more worthless scraps of empire) and a place in the front line against Soviet expansion. In a sense, however, Attlee was to have the last laugh; the long-term damage that his government inflicted on the British economy meant that, even apart from the huge costs of the country's post-war imperial overstretch, its decline to lesser-power status was inevitable.

But judged on his own terms, Attlee succeeded where it counted most. His nationalization of a key slice of British industry (including the railways, some road transport, gas, coal, iron and steel, the Bank of England, and even Thomas Cook, the travel agency) eventually proved disastrous; his intrusive regulatory and planning regime (not to speak of the crippling taxes he promoted) distorted the economy and retarded development for

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decades; the costs of the new National Health Service (NHS) instantly spiraled beyond what had been anticipated; and so on and on and on—but, well, never mind. In the greater scheme of things, he won. To this ascetic, high-minded statesman, GDP was a grubby detail and budgets were trivia. What mattered was that he had irrevocably committed Britain to the welfare state he believed to be an ethical imperative—and the NHS was its centerpiece.

And yes, that commitment *was* irrevocable. While a majority of Britons approved of including health care in their wish list for the post-war renewal of their nation, socialized medicine had not been amongst their top priorities. But once set up (in 1948), the NHS proved immediately and immensely popular, a "right" untouchable by any politician. For all the grumbling, it still is. The electoral dynamics of the NHS (which directly employs well over a million voters) were and are different from those of the likely Obamacare, not least because the private system the NHS replaced was far feebler than that, however flawed, which now operates in the U.S. Nevertheless, the lessons to be drawn from the story of the NHS form part of a picture that is bad news for those who hope that GOP wins in 2010 will shatter Barack's dream.

At first sight, the fact that Attlee barely scraped reelection five years after his 1945 triumph would seem to suggest the opposite, but to secure any majority in the wake of half a decade of savage economic retrenchment was a remarkable achievement. The transformation of which the NHS represented such a vital part (and the events that made that transformation possible) had radically shifted the terms of debate within the U.K. to the left and, no less crucially, reinforced Labour's political base. To remain electorally competitive, the Tories (who finally unseated Attlee the following year) were forced to accept the essence of Labour's remodeling of the British state, something they broadly continued to do until the arrival of Mrs. Thatcher as Conservative leader a generation later. It's no great stretch to suspect that a GOP chastened by the Bush years and intimidated by the obstacles that lie ahead will be just as cautious in tackling the Obama legacy.

And that *will* be something to be modest about. **NR**

Smoking HAMP

On housing, Obama's successes are as dangerous as his failures

BY KEVIN D. WILLIAMSON

There are two main dangers proceeding from the Obama administration's attempts to intervene in the mortgage market as a way to prop up housing prices: The first is that the program won't work, and the second is that it will. If the program fails, it will, like the stimulus and any number of this administration's remarkably naïve economic initiatives, simply represent the frittering away of another mile-high mound of money on political flimflam that does little to benefit most Americans and nothing to address the fundamental problems plaguing our economy. If it works, it will represent a victory for the nefarious forces of C.R.I.B.—the Committee to Re-Inflate the Bubble—setting the economy up for a vicious second round of financial crisis with its roots in the housing market.

The good news is that, when it comes to reshaping the U.S. mortgage market, the Obama administration's top guns are bringing to bear all of the brisk, rough-'n'-ready entrepreneurial know-how they picked up in their previous careers as university professors, nonprofit activists, and holders of political sinecures. Obama may crack insensitive about Special Olympians, but his crack team of mortgage commandos is moving with the sort of speed that makes you want to organize a telethon for them. Their poster child is Michael Barr, the assistant Treasury secretary who added greatly to the nation's mirth in the waning days of 2009 by telling a McClatchy reporter that, when it comes to mortgage modifications, "I think that if you go back and look at what we said we would do in February, we are on track to meet the president's goals."

That's the economic equivalent Secretary Napolitano's "the system worked." How far from the truth is it? The Obama administration's HAMP initiative—that's Home Affordable Modification Program—is supposed to renegotiate some 4 million mortgages over the course of three years. At the end of the first year, it's about 1 percent of the way there. So we're "on track to meet the president's goals" around the time Chelsea Clinton's grandkids start making their first runs at the White House. The $75 billion HAMP has, so far, managed to help renegotiate about 10,000 mortgages, meaning that it's operating at about the same pace as Zambia's national toilet-installation campaign, which boasts of plumbing about 10,000 households and schools a year.

But what Zambia is putting in the septic tank, Obama is putting on the government's financial books, and that is the real point of HAMP. It's part of the stealth bailout, the ongoing, largely unremarked-upon campaign to supplement TARP and the other direct bailouts with a host of underhanded and sub rosa pieces of financial indirection designed to transfer yet more risk and outright losses from the big financial institutions to the taxpayers. And out in front, no surprise, are the Toxic Twins themselves, Fannie Mae and Freddie Mac.

If you weren't eyes-deep in the mirth and eggnog on Christmas Eve, you might have heard the disturbing news that the Obama administration has decided to commit not millions, not billions, not trillions, but theoretically infinite sums of money to backstopping Fannie and Freddie, the two most irresponsible players in the housing market, the entities that did more than any bank, hedge fund, or Wall Street greedhead to distort and pillage the real-estate market. The U.S. government originally capped its support of Fannie and Freddie at $200 billion each, but, on Christmas Eve, the elfin Tim Geithner went the full Papá Noel, announcing unlimited support for these two eternal entrants on the naughty list. That these two book-cooking, political-crony-rewarding bubble-pumpers have a limitless claim on the public fisc would be scandal enough if it were merely a side effect of Obama's mortgage plan. But it *is* the plan.

The Federal Reserve has been buying up Chernobyl-grade mortgage-backed securities since the onset of the financial crisis. About half of the Fed's balance sheet right now consists of mortgage-backed securities, and it's going to be aggressively purchasing them for the next couple of months. And then, if all goes according to plan, it's going to stop in March, reaching its point of satiety at around $1.25 trillion in MBSs. The Obama administration is

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worried that, without Fed purchases to inflate the MBS market, it will collapse, possibly igniting a new round of financial crisis—and surely putting to ridicule the administration's fanciful claims that it has billions of dollars of "savings" in the form of "leftover" TARP money to spend on a new round of wheel-greasing stimulus projects. Under the previous terms of Treasury's Fannie/Freddie takeover, a $400 billion cap limited the Toxic Twins' ability to dig themselves deeper into the MBS market.

And that was by design: Treasury demanded that Fannie and Freddie begin reducing their portfolios, selling off securities and mortgages, as part of the bacon-saving deal. But now, with unlimited taxpayer backing for Fannie and Freddie, Geithner's Treasury is reversing itself, loosening those earlier requirements. Rather than forcing Fannie and Freddie to sell off mortgages and securities, the Obama administration now proposes to let them start buying them again—fattening the very beasts that mauled the economy in the first place. Two greed-driven, politically connected institutions with trillions of dollars in dodgy mortgages and securities, with unlimited backing from the U.S. taxpayer—what could possibly go wrong?

What this means is that the Fed's role in propping up the MBS market—and, by extension, housing prices—is going to be supplanted by Fannie and Freddie. Say what you will about the Fed, which has been caught with its pinstripes down on plenty of occasions, it remains one of the more responsible actors in the U.S. economic-policy game. Fannie and Freddie are arguably the least responsible, the Bozo and Cookie of the housing game. So why would the Obama administration want to put its eggs in their tattered basket?

The day before Geithner announced his Christmas gift to Fannie and Freddie, Bloomberg News reported, in what may have been an attempt at wry humor: "Purchases of new homes in the U.S. unexpectedly fell last month, indicating a recovery from the worst housing slump since the Great Depression will be slow to develop." Unexpected? With unemployment at 10 percent and the entire apparatus of the federal government working to keep home prices from plunging down to the level they need to reach to become attractive to buyers in these troubled times, the decline was anything but unexpected.

How bad was it? "Purchases dropped 11 percent to an annual pace of 355,000, lower than the lowest estimate of economists surveyed by Bloomberg News, figures from the Commerce Department showed today in Washington. The median sales price decreased 1.9 percent from November 2008." And that does not even capture the depth of the housing-market gloom: According to the Federal Housing Finance Agency, about one-third of those "sales" weren't really sales in the common sense of that word: They were foreclosures. The housing market is, if not quite dead, about half dead, and about one-third of the extant activity is foreclosures, exactly what the Obama administration says it wants to stop.

As the cynics will have guessed, this probably isn't about the families having to move out of their underwater, overleveraged, suburban McMansions and into cheaper accommodations or, horrors, an apartment in some unfashionable quarter of town. None of that campaign-commercial goo really applies at the nitty-gritty level: Families that make $100,000 a year cannot afford $600,000 mortgages and, even if the Obama administration manages to work feats of magic and get those mortgages down to $500,000 or $400,000—a snowball-in-hell probability—they can't afford those, either. A family making $100,000 a year can afford, at most, a $300,000 mortgage. And families making $100,000 a year right now have other things on their mind: mainly, whether they'll be making $100,000 next year, or $50,000. Keeping prices high and keeping overextended families in their homes are mutually exclusive goals, but the Obama administration does not bend to economic realities.

So if it's not about Bud and Sis and the picket-fence gang, what's the deal? As Karl Denninger, a trader and relentless critic of the bailouts, points out, Citibank owns about $15 billion in second mortgages and home-equity loans in California alone. "A very significant percentage of the homes in that state are worth less than the first mortgage balance," he writes. "As such, should the people who own those homes stop paying, a huge percentage of the $14.6 billion that Citibank holds in second liens in California will be worth exactly nothing." Wells Fargo has nearly $50 billion in similar exposure in California and Florida, where the housing numbers are even more grim, by an order of magnitude, than the national average. There's plenty of that slime to go around, and the commercial real-estate market is, some fear, on the brink of doing in 2010 what residential real estate did in 2008–09.

The Obama administration has been aggressive in claiming credit for the period of relative stability that has followed the Bush administration's interventions in the markets. If those days of comparative calm turn out to be short-lived, Obama does not want to be the one that ton of political bricks comes down on.

That infinite line of credit for Fannie and Freddie? Expires in 2012. **NR**

ROMAN GENN

Of Blights And Rights

The battle over eminent domain continues in New York

BY DUNCAN CURRIE

West Harlem

THE most famous name in America's eminent-domain wars belongs to Susette Kelo, the Connecticut woman whose refusal to sell her New London cottage led to a monumental 2005 Supreme Court decision. In recent years, another name has gained widespread notice: that of Nick Sprayregen, a New York real-estate investor and the president of Tuck-It-Away Self-Storage. Since 2004, Sprayregen has been embroiled in a high-stakes legal fight over his West Harlem properties, which include four Tuck-It-Away buildings. He is standing athwart a major private institution that has tried to obtain his land through government coercion.

Sprayregen won a huge victory on December 3, when a state appellate court rejected a 2008 determination by the Empire State Development Corporation (ESDC) that his properties could be seized and transferred to Columbia University via eminent domain. (ESDC is a New York public authority that wields condemnation powers.) In a 3-to-2 decision, the court held that Columbia's campus-expansion project did *not* justify the forcible acquisition of land in the proposed redevelopment zone, and that the designation of the target area as "blighted" amounted to "mere sophistry."

It was a devastating ruling for Columbia. The court dismissed the idea that the school's project had a genuine "public purpose," noting that the only truly independent blight study of the relevant West Harlem neighborhood (known as Manhattanville) was not issued until May 2008—long *after* the university had purchased the vast majority of the desired property. The redevelopment scheme was never intended to ameliorate urban decay, but rather to enlarge Columbia's footprint. Indeed, as Judge James M. Catterson pointed out, at the time when Columbia began formulating its plan with city officials, the available evidence suggested that Harlem was experiencing an economic "renaissance." Catterson also reproached ESDC for withholding various documents from Sprayregen's legal team; he concluded that Sprayregen was "prevented from creating a full record for review by this Court." On December 15, the state's highest court unanimously ordered ESDC to comply with a Freedom of Information Law request and turn over the documents.

Sometime this year, that same court will likely hear a challenge to the Columbia eminent-domain decision. Sprayregen vows to take his case all the way to the U.S. Supreme Court if necessary. "I really feel that I have a certain responsibility to see this battle through," he says while sitting in his West Harlem office. (Besides Sprayregen, the only property holder still resisting ESDC and Columbia is a gas-station owner.) Sprayregen observes that most victims of eminent-domain land grabs do not have his financial resources, and thus cannot afford to wage protracted legal struggles. He has retained as counsel Norman Siegel, a prominent Democrat and former director of the New York Civil Liberties Union.

Nobody knows how New York's top court will come down in the Columbia spat; but on November 24, it gave the green light for another controversial New York City eminent-domain action to move forward. In a 6-to-1 ruling that disappointed many local residents, the court said that ESDC could employ eminent domain to condemn various Brooklyn properties and hand them to a private developer, Bruce Ratner, whose "Atlantic Yards" project (if it is ever completed) will include a new arena for the NBA's New Jersey Nets. ESDC's condemnations relied on a dubious finding of blight; yet Chief Judge Jonathan Lippman wrote that this finding was "reasonable" enough to pass judicial muster. Blight standards, he added, are "essentially a legislative prerogative."

Blight is indeed a slippery concept, which is why it can pose such a danger to property rights. The Fifth Amendment's Takings Clause recognizes that governmental bodies may appropriate private property "for public use," and it stipulates that they offer "just compensation" to the owners. But the legal meaning of "public use" has evolved significantly over time. As journalist Carla Main writes in her 2007 book, *Bulldozed*, the exercise of eminent domain for "urban renewal" ventures surged after President Truman signed the Federal Housing Act of 1949 and the Supreme Court delivered its ruling in *Berman v. Parker* (1954). The *Berman* decision affirmed that eminent domain could be used to transfer land from one private party to another, assuming the transfer served a "public purpose."

Then, in the early 1980s, the Michigan supreme court allowed roughly 500 acres of property in the Poletown enclave of Detroit to be seized and given to General Motors. This case "started the ball rolling in earnest on economic-development takings," says Main, even though the GM factory built in Poletown turned out to be a disastrous failure. "It proved that with enough political will, the little man could be moved out of the way for all sorts of projects intended to jumpstart local economies." In *Kelo v. New London*, the Supreme Court upheld the constitutionality of economic-development takings. But Justice John Paul Stevens, who authored the plurality opinion, stressed that "nothing in our opinion precludes any State from placing further restrictions on its exercise of the takings power."

According to the libertarian Institute for Justice (IJ), 43 states have implemented some type of eminent-domain reform since the *Kelo* ruling. IJ senior attorney Scott Bullock (who represented Susette Kelo) says that, of those 43 states, 22 (including Florida, Georgia, New Hampshire, Oregon, and South Dakota) have enacted "really substantive" reforms that revised statutory blight criteria and curbed private-to-private land transfers. Other states (such as California, Connecticut, Illinois, Missouri, and Vermont) have enacted much weaker reforms.

Eminent domain is not a partisan issue. Indeed, reform bills have been vetoed by governors of both parties: in Arizona (by Democrat Janet Napolitano), Iowa (by Democrat Tom Vilsack), Mississippi (by Republican Haley Barbour), New Mexico (by Democrat Bill Richardson), and Texas (by Republican Rick Perry). The strongest opponents of reform have generally been urban officials (such as New York City mayor Mike Bloomberg), municipal organizations (such as the National League of Cities), and assorted business groups (such as state and local Chambers of Commerce).

New York is among the seven states that have failed to bolster their eminent-domain protections in the post-*Kelo* era. (The others are Arkansas, Hawaii, Massachusetts, Mississippi, New Jersey, and Oklahoma.) An October 2009 IJ report contends that it is “perhaps the worst state in the nation when it comes to eminent-domain abuse.” IJ estimates that since 1998, more than 2,200 properties in New York have been either seized or threatened with seizure to facilitate private development. These properties are scattered through the state—from Long Island to Niagara Falls—but some municipalities have been serial offenders.

Take the village of Haverstraw, a heavily Latino community nestled on the Hudson River in Rockland County. Haverstraw was once home to the Empire State Chair Factory, whose final president, Andrew Kanner, closed the factory prior to his death in the mid-1990s. The Kanner family wanted to build housing on the vacated property; but the local government enlisted developer Martin Ginsburg and forged ahead with a separate waterfront-revitalization scheme that required the old factory site. After Ginsburg was unable to negotiate a sale agreement with the Kanners, village authorities condemned their property.

In furtherance of Ginsburg’s project, village officials also tried to use eminent domain to transfer a building from private owners to an affordable-housing agency—even though the private owners were willing to develop affordable housing. In June 2007, a New York appellate court ruled against the village, pointing out that “by exercising eminent domain, the Village achieves fewer affordable housing units for its residents and volunteers, whereas by not condemning the site, the Village would realize a *greater* number of affordable housing units.” This case represented a small triumph for property rights; however, New York lawmakers still need to enact broad safeguards against misuse of the Takings Clause. Their inaction since *Kelo* has enabled a raft of excesses.

When eminent-domain reform has been put to voters in the form of state referenda, it has proved overwhelmingly popular. The reason is simple: Eminent-domain abuse exemplifies the worst kind of corporate welfare—property rights and free markets are trampled in order to benefit private interests and boost the tax coffers of municipalities.

The reform movement has united an ideologically (and racially) diverse collection of activists and politicians. Recognizing the historic impact of eminent domain on black communities—the people displaced by mid-century urban-renewal projects were disproportionately black—the NAACP co-authored an amicus brief supporting the position of Susette Kelo. After the Supreme Court ruled against Kelo, Rep. Maxine Waters, a black liberal Democrat from Los Angeles, teamed up with Sen. John Cornyn, a white conservative Republican from Texas, to work on federal legislation aimed at curtailing eminent-domain abuse. Few issues in modern American politics have brought together such impressive bipartisan coalitions at the legislative and grassroots levels.

Just look at Mississippi. In early 2009, Magnolia State legislators passed a bill that abolished private-to-private eminent-domain transfers. The vote was 119 to 3 in the state’s house of representatives and 51 to 0 in its senate. The bill was backed by an eclectic mix of organizations, ranging from the Southern Christian Leadership Conference (which was co-founded by Martin Luther King Jr.), to the Mississippi Farm Bureau, to the Mississippi Loggers Association, to Grover Norquist’s Americans for Tax Reform.

Unfortunately, GOP governor Haley Barbour hyperbolically declared that the legislation “would do more damage to job creation and economic development than any government action since Mississippi rightfully began trying to balance agriculture with industry in 1935,” and he unsheathed his veto pen to preserve the status quo. A veto-override measure easily won the necessary two-thirds majority support in the house (the final tally was 101 to 19) but failed to reach that threshold in the senate, where the vote was 28 to 22.

Despite the setback in Mississippi and the dearth of progress in states such as New York, eminent-domain laws have undergone a serious makeover since *Kelo*. Before June 2005, abuse of the condemnation process was rampant across America. Today, it is far less common, and the worst exploitation is confined to a handful of states that have refused to adopt the proper reforms. As Bullock puts it, “*Kelo* is a classic example of losing the battle but winning the war.” The war is not over, he adds. But the shift in momentum over the past five years has been remarkable. **NR**

Rebels Without A Cause

They are precisely what Iran needs

BY DAVID PRYCE-JONES

THE current upheaval in Iran has the world holding its breath. A test of strength has opened between the hard-line Islamists of the regime and a good part of the population that is disappointed or angry with that regime. The mullahs have been incompetent, indulging in dangerous and extravagant foreign adventures, and above all corrupt, lining their pockets shamelessly. Iranians do not have to search for reasons to take to the streets. Many of them also fear that the country’s nuclear program is a gamble that could cost them their lives. Like everybody else, they take it for granted that under cover of lies the regime is acquiring the nuclear bomb. Iran has signed the nuclear Non-Proliferation Treaty, and the revelation that it had duplicitously developed such a weapon would be a blow to the structure of law on which the international order supposedly rests—a blow more damaging than Saddam Hussein’s invasion of Kuwait. The regime might then have brought retaliation and war down on the country. A different set of mullahs in Tehran, or better still professional politicians, might allow everyone to breathe again.

In a memorable phrase of Henry Kissinger’s, Iran has to decide whether it is a nation or a cause. That is what the current test of strength is about. The Islamic Republic is the handiwork of Ayatollah Ruhollah Khomeini. A genuine fanatic, he was untouched by anything like a general education, having no interest in ideas other than his own. In his view, Muslims compose a worldwide community, and he aspired to lead it to supremacy. Iran’s expansionist foreign policy and its sponsorship of terrorism derive from the perception of Islam as a cause, an end that justifies all means. Every opportunity to project the Islamic Republic’s power has been exploited, in Iraq and Afghanistan, in Lebanon and the Israeli–Palestinian

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Tehran, December 2009

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impasse, and now in backing proxies in the exploding civil war in Yemen. It follows that the individual nation-state is rejected as a Western concept, by definition irrelevant and damaging to Muslims. Domestically, Khomeini set in place a system of rule known as "guardianship of the Islamic jurists," a euphemism for his own installation as an absolute ruler. The dignified black robes and turban did not disguise the fact that the Supreme Leader was a typical Third World dictator, different from any other only in that he had a cause to fulfill. Under his successor, Ayatollah Ali Khamenei, the paramilitary Revolutionary Guards have acquired a military and economic grip on society that invites further comparison to the Third World.

Over the last ten years, protest has been gathering, each time in a bigger wave. The presidential election last June was the point of no return. According to the doctrine of the "guardianship of the Islamic jurists," the president is merely the executor of orders from the Supreme Leader, and in that role Mahmoud Ahmadinejad has been loyal and might well have been reelected without undue trickery. Among those running against him were Mir-Hossein Mousavi and Mehdi Karroubi, both of them tried and tested members of the clerical establishment. The scandalous rigging of Ahmadinejad's victory was evident for all to see. The refusal of Mousavi and Karroubi to accept the deception and the injustice of what had happened threw them straightaway into opposition, and it is quite possible that they did not fully grasp what they were committing themselves to. It would have been prudent on the part of Supreme Leader Khamenei to give some ground, for instance agreeing to allow another vote in areas where the result was ridiculous. He refused. Speaking as though infallible, he threw his weight behind Ahmadinejad and declared the subject closed.

Lenin and Stalin in their day had constantly warned that factionalism is the one great and abiding danger to an ideological cause. And so it proved in the Soviet Union. Once Mikhail Gorbachev and Boris Yeltsin had locked horns and recruited rival supporters in their struggle for power within the Kremlin, the Communist Party lost what had been its unique authority, could no longer command obedience, and Communism soon dissipated into thin air. Gorbachev concluded that police and military measures could not save Communism, and therefore Yeltsin was the winner in that test of strength.

Factionalism is similarly eroding the legitimacy of the Islamic Republic, giving people the chance to decide to whom they are willing to owe obedience. Mousavi and Karroubi have no political structure to support them and turn them into national leaders, but they are in the Yeltsin position of being able to count on popular emotion. Very large numbers of Iranians have come together in the so-called Green Movement. Their motives are mixed. Some are striving to abolish the Islamic Republic, others would reform it, and yet others don't care but have grievances of their own. Conviction that Iran is a state is the sole basis of their solidarity, and this truly differentiates them from those for whom the Islamic Republic is a cause. "Death to the dictatorship" is one chant repeated at demonstrations. The Green Movement has also adopted the Muslim cry of "God is great," which the mullahs and their supporters once used in their revolution against the shah. An original campaign of civil disobedience involves defacing banknotes with slogans, caricatures of Mahmoud Ahmadinejad, and images of those killed in demonstrations.

Many caught up in protests use the newest means of communication to photograph or describe on the Web what is happening, and this is then transmitted to various media in the West. The death of Neda Soltan was the moment that enraged the masses and brought awareness of the regime's brutality to a worldwide audience. A particularly beautiful young woman, she was a bystander on the street when a policeman shot and killed her. A film was taken of her in her death throes. Her fiancé and a doctor who tried to save her have both fled into exile. Like the Czech student who burnt himself to death as a protest against Soviet tanks, Neda Soltan has become the symbol of ideals that ignorant barbarians are determined to stamp out. Another current video shows a young man shot in the groin and bleeding profusely. In yet another, two men in the provincial town of Sirjan are about to be hanged in public from a crane on the back of a truck, when protesters hurry to cut them down and save their lives (they have since been executed). The police then open fire on these protesters, so the final shots are of corpses. A police car has also been filmed deliberately running over someone in the crowd. In the past year, something like 400 people have been killed and perhaps ten times as many arrested.

Massive demonstrations on the street are reminiscent of the moment when a French crowd stormed the Bastille and modern times began to replace an outdated regime. The doomed King Louis XVI asked if this was a revolt. "No, Sire," a courtier answered, "it is a revolution." Revolt is now a fact of life in Iran but whether it evolves into revolution depends on the

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outcome of the ongoing test of strength. This is open to all sorts of imponderables, accidents, and misjudgments. More clerics than ever are finding the courage to protest what is being done in their name. One such was Ayatollah Hossein Ali Montazeri, at first a close colleague and possible successor to Khomeini, but who came to the view that clerics should return to the mosque and leave politicians to run the government. Placed under house arrest, he became a figurehead of opposition. By the time of his death at the very end of last year, he was 87. Instead of treating him as a venerable old man, the regime interfered with funeral arrangements and prevented people arriving in their thousands from paying their respects. Handed the initiative in this clumsy way, the Green Movement was duly able to stage yet more demonstrations. The greatest care has to be taken, however, not to overplay the hand, because heedless provocation gives the regime the excuse it needs for repression.

Showing signs of uncertainty and even panic, the regime is blaming foreigners for inciting trouble, refuses to allow journalists to cover events and has expelled several; and is also arresting people who have nothing to do with politics but whose persecution will serve as a warning. The police use live ammunition, and have already shot dead the nephew of Mir-Hossein Mousavi. Mousavi himself has declared, "I am not afraid to die for people's demands. . . . Iran is in serious crisis." Violence against compatriots and fellow Muslims signifies the complete failure of the Islamic Republic, but a test of strength as intense and fateful as this may very well end in an Iranian version of the Tiananmen Square massacre.

President Obama has to decide which side to come down on. Ten months ago, he gave Tehran till the end of the year to clarify its nuclear program. The talk is all about stricter sanctions but diplomacy somehow gets in the way. Possession of the nuclear bomb would leave Iran free to define itself fully and finally as a cause, and moreover one directed against the international order. That's why negotiation on the issue spins out time to no purpose. Obama's pronouncements are so careful and hedged that he seems to be working out how to back the Green Movement while staying engaged with the regime. He's missing the chance to help turn revolt into revolution; he's missing a historic moment. **NR**

Hail to the Golfer-in-Chief

Barack Obama tees it up, no matter the winds

BY JAY NORDLINGER

ON Christmas break in his native Hawaii, President Obama played a lot of golf. He tends to do that: play golf. Through terror concerns and other matters of state, he played. The press noted that Obama has played more golf in his first year in office than George W. Bush did in his eight years. (More about that later.) This has rubbed some people the wrong way: Obama's love of, and indulgence in, golf. He loves and plays basketball, too. But he doesn't take any grief for that—only golf.

Michelle Cottle of *The New Republic* wrote a piece called "Bunker Mentality" (cute title). She said, "Golf is a dubious pastime for any decent, sane person, much less for this particular president. Why would a leader vowing to shake up Washington—to alter the very nature of politics—sell his soul to a leisure activity that screams stodgy, hyperconventional Old Guard?" We can see that she doesn't like golf very much. She went on to list five possible explanations for Obama's "embrace of golf." One of them was, "Image control. Obama's enthusiastic adoption of this most corporate of pastimes reassures middle-Americans that their history-making black president isn't too urban, edgy, or cool." Here is something that was not among the five explanations: He really, you know—likes the game. Loves it.

One more quotation from Cottle, who said, "In the popular imagination, golf is the stuff of corporate deal-cutting, congressional junkets, and country club exclusivity." *In the popular imagination*. I see, once more, that my own imagination is unpopular.

I pretty much grew up in golf, on the munis of Ann Arbor, Mich. (A "muni," in golf-talk, is a municipal golf course.) I also worked at a couple of these courses. And golf was—is—a thoroughly democratic game. Everybody played. Young and old,

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male and female, wealthy and broke, respectable and scoundrelly. We had hippies and druggies, in tie-dyed shirts and sandals. We had grimy, tattooed union members. We had snotty left-wing professors from the University of Michigan. We had rednecks from the sticks. We had Korean immigrants who could barely speak English. And so on.

The whole world came by these golf courses, and all were united, a bit—not to get too sappy—by this game. Such a glorious game, and an equalizer. On the golf course, the only thing that matters is the game.

NEWSCOM

I might mention, too, that, on the courses of Greater Detroit, there was a whole, wonderful world of black hustling—I mean gambling and the like. I was lucky enough to be introduced to this world. It is very far from, say, Oakland Hills Country Club, the marquee course in the Detroit suburb of Bloomfield Hills. But it is certainly golf—a game that contains multitudes. Those who think that golf is a pastime for uptight WASPs should get out more. But uptight WASPs—as well as relaxed ones—are part of humanity too, remember. If you prick them, won't they bleed?

Plenty of political lefties play golf, but the Left in general has long had a bugaboo about the sport. I give you Hugo Chávez, the strongman down in Venezuela. Last summer, he ordered the closing of some of Venezuela's courses, and he denounced golf in the usual, asinine terms. He called it "bourgeois." (Has there ever been a dumber word?) He said, "I respect all sports. But there are sports and there are sports. Do you mean to tell me this is a people's sport? It is not." It is certainly more a people's sport than Chávez's government is a (genuine) people's government.

A democratic president, George W. Bush, had a touchy relationship with golf during his time in the White House. One early morning in August 2002, he went out for a round with his father and two others. It was his custom to talk with reporters before teeing off. And, on this occasion, he said he was "distressed to hear about the latest suicide bombers in Israel." He made a tough if standard statement, ending, "I call upon all nations to do everything they can to stop these terrorist killers." He then nodded grimly and, in perfect Bush fashion, said, "Thank you. Now watch this drive."

This was taken, by some, to be the height of insouciance, arrogance, and irresponsibility. Michael Moore used a video of this moment in his film *Fahrenheit 9/11*. Others of us found nothing to object to in how Bush performed. We even grinned, warmly, at the whole episode: "That's our boy." As usual, this president occasioned a wide range of reactions and emotions.

It was in August 2003 that Bush stopped playing golf. He didn't make a production out of it. He didn't even tell anyone. He simply—stopped. In 2008, he explained, "I remember when de Mello got killed in Baghdad." He meant Sérgio Vieira de

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Mello, the top U.N. official in Iraq, who was killed in a terrorist bombing along with 20 others. “I was playing golf—I think I was in central Texas—and they pulled me off the golf course, and I said, ‘It’s just not worth it anymore.’ I didn’t want some mom whose son may have recently died to see the commander-in-chief playing golf.”

The president’s motivation was perfectly honorable and understandable, obviously. But it was a shame that the weird stigma about golf had to be bowed to. Bush did not deny himself recreation altogether: He rode his mountain bike a lot, in those bright, huggy shorts. But golf, somehow, was too unseemly to be engaged in. Biking’s okay, basketball’s okay—golf is risky. Why? For no good reason, only because of the strange psychology with which some people are saddled.

In a column, I made a point about our boys at war: They have played golf for as long as anyone can remember. Golf at war is part and parcel of the American tradition. Our soldiers have played when and where they can, in makeshift fashion—we’re not talking about teeing it up at Oakland Hills. At the USGA Museum in New Jersey—it used to be called Golf House—there is a World War II exhibit. Among the items are some homemade golf balls, from the hands of American POWs. I know for sure that our guys in Iraq are playing, on patches of desert here and there. One of them asked me to join him and his friends, when I visited the country in 2008. Wish the schedule had allowed.

Yes, yes: A president has to guard his image, even if it means bowing to prejudice or unreason. Bush’s father, the 41st president, took some grief when he zipped around in his cigarette boat during the Gulf War. The elder Bush liked golf, too, a lot—and he liked to play fast. He developed something known in Bush circles as “speed golf.” He boated fast, and he played fast.

President Clinton, not a country-clubber but the Man from Hope, played golf all the time. Absolutely craved the game. He once observed that he was probably the only president to leave office a better player than when he entered: because he had received many tips from the pros he played with. Of course, he was not known for scrupulous honesty on the golf course, as elsewhere. Bob Woodward tells a story in his book *Shadow*. One day in 1993, Clinton, President Ford, and Jack Nicklaus played 18 holes together. Afterward, Clinton claimed to have shot a score of 80 (far too low for him). Woodward writes, “Ford was shocked. Golf was a matter of honor, even for old duffers, and Clinton had repeatedly taken second shots, called mulligans. Nicklaus leaned over to Ford and whispered in disgust, ‘Eighty with fifty floating mulligans.’”

Presidents since about Taft have played golf. Barack Obama joins a proud, happy tradition. And he is one of about 30 million Americans who play golf. Thirty million—not exactly an elite or exotic slice. Hell, people across the world have taken to golf ever since a shepherd boy, somewhere in Scotland hundreds of years ago, first swung at some dung with his crook. Golf is not for everybody, of course—just as certain types of music or food are not for everybody. But it’s for some of us. We were kind of thrilled when Tiger Woods came to dominance, in the late 1990s. As Colin Montgomerie (the Scottish champion) put it, “We’re fortunate to have the world’s best athlete playing our game.” Golf has been outright *cool* in the Age of Tiger. And now that he is a tabloid star—is it cooler yet?

But those who value this game don’t care whether it is cool or uncool. We just want to play it, enjoy it, study it, agonize over it. As I once said to a coworker, who was bad-mouthing golf in the harshest terms—this was a right-winger, by the way—“Good. Please stay away from the courses. It’s hard enough to get a tee time as it is, and play is awfully slow.”

Frankly, one of the best things I know about President Obama is that he plays golf. It probably gives him succor, solace, strength. On the golf course, as I have indicated, the rest of the world can sort of melt away. Also, a camaraderie, or brotherhood, can develop. The legendary teacher Harvey Penick once wrote a book with a memorable title: “And If You Play Golf, You’re My Friend.” I imagine that President Obama and Rush Limbaugh would enjoy a round of golf together. I’d like to make a third! And maybe the president could suggest a left-leaning fourth, so that our group is philosophically even? (Incidentally, Obama is a lefty on the golf course, same as he is off—he plays left-handed, I mean.)

He swatted that fly. He called that rapper—the one who disrupted the award ceremony—a “jackass.” He has a serious jones for golf. Really, I could warm to our president. **NR**

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Welcome to Rome

Commit national suicide, shall we?

BY MARK STEYN

SOMETIMES you do live to see it. In my book *America Alone*, I point out that, to a five-year-old boy waving his flag as Queen Victoria's Diamond Jubilee procession marched down the Mall in 1897, it would have been inconceivable that by the time of his 80th birthday the greatest empire the world had ever known would have shriveled to an economically moribund strike-bound socialist slough of despond, one in which (stop me if this sounds familiar) the government ran the hospitals, the automobile industry, and much of the housing stock, and, partly as a consequence thereof, had permanent high unemployment and confiscatory tax rates that drove its best talents to seek refuge abroad.

A number of readers, disputing the relevance of this comparison, sent me mocking letters pointing out, for example, Britain's balance of payments and other deteriorating economic indicators from the early 20th century on. True. Great powers do not decline for identical reasons and one would not expect Britain's imperial overstretch to lead to the same consequences as America's imperial understretch. Nonetheless, my correspondents are perhaps too sophisticated and nuanced to grasp the somewhat more basic point I was making. Perched on his uncle's shoulders that day was a young lad who grew up to become the historian Arnold Toynbee. He recalled the mood of Her Majesty's jubilee as follows: "There is, of course, a thing called history, but history is something unpleasant that happens to other people. We are comfortably outside all of that I am sure." The end of history, 1897 version.

Permanence is an illusion—and you would be surprised at how fast mighty nations can be entirely transformed. But, more important, national decline is psychological—and therefore what matters is accepting the psychology of decline. Within two generations, for example, the German people became just as obnoxiously pacifist as they once were obnoxiously militarist, and as avowedly "European" as they once were menacingly nationalist. Well, who can blame 'em? You'd hardly be receptive to pitches for national greatness after half a century of Kaiser Bill, Weimar, the Third Reich, and the Holocaust.

But what are we to make of the British? They were on the right side of all the great conflicts of the last century; and they have been, in the scales of history, a force for good in the world. Even as their colonies advanced to independence, they retained the English language and English legal system, not to mention cricket and all kinds of other cultural ties. And even in imperial retreat, there is no rational basis for late-20th-century Britain's conclusion that it had no future other than as an outlying province of a centralized Euro nanny state dominated by nations whose political, legal, and cultural traditions are entirely alien to its own. The embrace of such a fate is a psychological condition, not an economic one.

Is America set for decline? It's been a grand run. The country's been the leading economic power since it overtook Britain in the 1880s. That's impressive. Nevertheless, over the course of that century and a quarter, Detroit went from the world's industrial powerhouse to an urban wasteland, and the once-golden state of California atrophied into a land of government run by the government for the government. What happens when the policies that brought ruin to Detroit and sclerosis to California become the

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Warranty: Some systems are backed by limited drive-train and parts warranties—why stop there? Insist on a lifetime warranty on the drive train.❖

basis for the nation at large? Strictly on the numbers, the United States is in the express lane to Declinistan: unsustainable entitlements, the remorseless governmentalization of the economy and individual liberty, and a centralization of power that will cripple a nation of this size. Decline is the way to bet. But what will ensure it is if the American people accept decline as a price worth paying for European social democracy.

Is that so hard to imagine? Every time I retail the latest indignity imposed upon the "citizen" by some or other Continental apparatchik, I receive e-mails from the heartland pointing out, with much reference to the Second Amendment, that it couldn't happen here because Americans aren't Euro-weenies. But nor were Euro-weenies once upon a time. Hayek's greatest insight in *The Road to Serfdom* is psychological: "There is one aspect of the change in moral values brought about by the advance of collectivism which at the present time provides special food for thought," he wrote with an immigrant's eye on the Britain of 1944. "It is that the virtues which are held less and less in esteem and which consequently become rarer are precisely those on which the British people justly prided themselves and in which they were generally agreed to excel. The virtues possessed by Anglo-Saxons in a higher degree than most other people, excepting only a few of the smaller nations, like the Swiss and the Dutch, were independence and self-reliance, individual initiative and local responsibility, the successful reliance on voluntary activity, noninterference with one's neighbor and tolerance of the different and queer, respect for custom and tradition, and a healthy suspicion of power and authority." Two-thirds of a century on, almost every item on the list has been abandoned, from "independence and self-reliance" (40 percent of people receive state handouts) to "a healthy suspicion of power and authority"—the reflex response now to almost any passing inconvenience is to demand the government "do something," the cost to individual liberty be damned. American exceptionalism would have to be awfully exceptional to suffer a similar expansion of government and not witness, in enough of the populace, the same descent into dependency and fatalism. As Europe demonstrates, a determined state can change the character of a people in the space of a generation or two. Look at what the Great Society did to the black family and imagine it applied to the general population: That's what happened in Britain.

BUT that's to cast decline in its least favorable light, after it's had a couple of generations to work its dark magic. As it's happening, incremental decline is extremely seductive. Great powers aren't Chad or Rwanda, where you're sliding from the Dump category to the Even Crummier Dump category. Take a city like Vienna. Once upon a time it was an imperial capital. The empire busted up, but the capital still had magnificent architecture, handsome palaces, treasure houses of great art, a world-class orchestra, fabulous restaurants . . . who wouldn't enjoy such "decline"? You benefit from all the accumulated capital of the past without being troubled by any of the tedious responsibilities. Have another coffee and a piece of strudel and watch the world go by. To be sure, everything new—or, at any rate, everything new that works—is invented and made elsewhere. But genteel decline from the heights can be eminently civilized, especially to those of a leftish bent. Francophile Americans passing through bucolic villages with their charmingly state-regulated charcuteries and farmland wholly subsidized by the European Union's Common Agricultural Policy can be forgiven for wondering whether global hegemony is all it's cracked up to be.

Whether decline will seem quite so bucolic viewed from a Jersey strip mall rather than the Dordogne remains to be seen. Yet in the geopolitical sense it can be marvelously liberating. You still go to all the best parties and have a seat at the top table—Britain and France are members of the U.N. Security Council and the G7 and every other group that counts—and even better, when the check comes, you're not the one stuck with the tab. You can preen and pose on the world stage secure in the knowledge that nobody expects you to do anything about it: It's no surprise to find that the post-great powers of Europe are the noisiest promoters of every fashionable nostrum, from the iniquities of the Zionist Entity to the perils of "climate change." The European Union has attitudes rather than policies. A couple of years back, Bret Stephens, then editor of the *Jerusalem Post*, opened his mail to find a copy of something called "Conclusions of the European Council," a summary of the work done during the six months of Ireland's "Europresidency." A braver man than I, he read it, at least as far as Item 80: "The European Council expresses its deep concern at the recent events in the Eastern Congo, which could jeopardise the transition process."

And that and a couple euros will get you a café au lait. The EU is free to flaunt its "concern"—whoops, "deep concern"—over events in the Eastern Congo precisely because nobody in the Eastern Congo or anywhere else expects Europe to do a thing about it. The Continent increasingly resembles those insulated celebrities being shuttled around town from one humanitarian gala to another—like Barbra Streisand and Leonardo DiCaprio jetting in to join Barack Obama and Al Gore in bemoaning Joe Sixpack's carbon footprint.

And when you put it like that, what's the downside?

Okay, since you ask, here's my prediction: American decline will not be like France's or Austria's. For one thing, we don't appreciate how unusual the last transfer of power was. If you're not quite sure when that took place, the British historian Andrew Roberts likes to pinpoint it to the middle of 1943: One month, the British had more men under arms than the Americans. The next month, the Americans had more men under arms than the British. The baton of global leadership had been passed. And, if it didn't seem that way at the time, that's because it was as near a seamless transition as could be devised—although it was hardly "devised" at all. Yet we live with the benefits of that transition to this day: To take a minor but not inconsequential example, one of the critical links in the Afghan campaign was the British Indian Ocean Territory. As its name would suggest, that's a British dependency, but it has a U.S. military base—just one of many pinpricks on the map where the Royal Navy's Pax Britannica evolved into Washington's Pax Americana with nary a thought: From U.S. naval bases in Bermuda to the ANZUS alliance Down Under to NORAD close to home, London's military ties with its empire were assumed by the United States. Britain's eclipse by its transatlantic progeny is one of the smoothest transfers of power in history—and unlikely to be repeated.

Now look beyond the Anglosphere. Why did decline prove so pleasant in Europe? Because it was cushioned by American power. The United States is such a perversely non-imperial power that it garrisons not ramshackle colonies but its wealthiest "allies," from Germany to Japan. For most of its members, "the Free

You deserve a factual look at . . .

Myths About Israel and the Middle East (1)

Do the media feed us fiction instead of fact?

We all know that, by dint of constant repetition, white can be made to appear black, good can get transformed into evil, and myth may take the place of reality. Israel, with roughly one-thousandth of the world's population and with a similar fraction of the territory of this planet, seems to engage a totally disproportionate attention of the print and broadcast media of the world. Unfortunately, much of what the media tell us — in reporting, editorializing in columns, and in analysis — are endlessly repeated myths.

What are the facts?

■ **Myth:** The "Palestinians" are a nation and therefore deserving of a homeland.

Reality: The concept of Palestinian nationhood is a new one and had not been heard of until after the Six-Day War (1967), when Israel, by its victory, came into the administration of the territories of Judea and Samaria (the "West Bank") and the Gaza Strip. The so-called "Palestinians" are no more different from the Arabs living in the neighboring countries of Lebanon, Syria and Jordan, than Wisconsinites are from Iowans.

■ **Myth:** Judea and Samaria (the "West Bank") and the Gaza Strip are "occupied Arab territory."

Reality: All of "Palestine" — east and west of the Jordan River — was part of the League of Nations mandate. Under the Balfour Declaration, all of it was to be the "national home for the Jewish people." In violation of this mandate, Great Britain severed the entire area east of the Jordan River — about 75% of Palestine — and gave it to the Arabs, who created on it the kingdom of Transjordan. When Israel declared its independence in 1948, five Arab armies invaded the new country in order to destroy it at its very birth. They were defeated by the Israelis. The Transjordanians, however, remained in occupation of Judea and Samaria (the "West Bank") and East Jerusalem. They proceeded to drive all Jews from those territories and to systematically destroy all Jewish houses of worship and other institutions. The Transjordanians (now renamed "Jordanians") were the occupiers for nineteen years. Israel regained these territories following its victory in the Six-Day War. Israel has returned the entire Gaza Strip to the Palestinians. The final status of the "West Bank" will be decided if and when the Palestinians will finally be able to sit down and seriously talk peace with Israel.

> "Peace will only come when the Arabs finally accept the reality of Israel. And that is not a myth — that is a fact!"

■ **Myth:** Jewish settlements in Judea and Samaria (the "West Bank") are the "greatest obstacle to peace."

Reality: This is simply not correct, although it has been repeated so often that many have come to believe it. The greatest obstacle to peace is the intransigence and the irreconcilable hostility of the Arabs. Not more than 200,000 Jews are settled in these territories, living among about 1.4 million Arabs. How can Jews living there be an obstacle to peace? Why shouldn't they live there? About 1.2 million Arabs live in Israel proper. They are not an obstacle to peace. Neither the Israelis nor they themselves consider them as such.

■ **Myth:** Israel is unwilling to yield "land for peace."

Reality: The concept that to the loser, rather than to the victor, belong the spoils is a radically new one, never before thought of in world history. Israel has emerged victorious in the five wars imposed on it by the Arabs. In order to make peace, it has returned over 90% of the territory occupied by it, specifically the vast Sinai Peninsula, to Egypt. That territory contained some of the most advanced military installations in the world, prosperous cities and settlements, and oil fields developed entirely by Israel that made it independent of petroleum imports. In the Camp David Accords, Israel agreed to autonomy for Judea and Samaria (the "West Bank") with the permanent status to be determined after three years. But no responsible Palestinian representation has been available to negotiate with Israel about this.

All these myths (and others we shall talk about) have poisoned the atmosphere for decades. The root cause of the never-ending conflict is the unwillingness of the Arabs (and not just the Palestinians) to accept the reality of Israel. What a pity that those of the Palestinians who are not Israeli citizens have lived and continue to live in poverty, misery and ignorance. They could have chosen to accept the proposed partition of the country in 1947, would now have had their state alongside Israel for over sixty years and could have lived in peace and prosperity. They could have kept hundreds of thousands of refugees in their homes and could have saved tens of thousands of lives. Peace will only come when the Arabs finally accept the reality of Israel. And that is not a myth — that is a fact!

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World" has been a free ride. And that, too, is unprecedented. Even the few NATO members that can still project meaningful force around the world have been able to arrange their affairs on the assumption of the American security umbrella: In the United Kingdom, between 1951 and 1997 the proportion of government expenditure on defense fell from 24 percent to 7, while the proportion on health and welfare rose from 22 percent to 53. And that's before New Labour came along to widen the gap further.

Those British numbers are a bald statement of reality: You can have Euro-sized entitlements or a global military, but not both. What's easier to do if you're a democratic government that's made promises it can't afford—cut back on nanny-state lollipops, or shrug off thankless military commitments for which the electorate has minimal appetite? A Continental might take the view that this is democracy's safeguard against an old temptation. After all, declining powers frequently turned to war to arrest their own decline or another's rise—see the Franco–Prussian, the Austro–Prussian, the Napoleonic Wars, and many others. But those were the days when traditional great-power rivalry was resolved on the battlefield. Today we have postmodern post-great-power rivalry, in which America envies the way the beneficiaries of its post-war largesse have been able to opt out of the great game entirely. In reality-TV terms, the Great Satan would like to vote itself off the battlefield. On its present course, as Dennis Prager put it, America "will be a large Sweden, and just as influential as the smaller one."

AND that's the optimistic scenario—because the only reason Sweden can be Sweden and Germany Germany and France France is that America is America. Who will cushion America's decline as America cushioned Europe's?

Furthermore, is "a large Sweden" even possible? Insofar as it works at all, Big Government works best in small countries, with a sufficiently homogeneous population to have common interests. There's a fascinating book by Alberto Alesina and Enrico Spolaore called *The Size of Nations*, in which the authors note that, of the ten richest countries in the world, only four have populations above 1 million: America (300 million people), Switzerland (7 million), Norway (4 million), and Singapore (3 million). Small nations, they argue, are more cohesive and have less need for buying off ethnic and regional factions. America has been the exception that proves the rule because it's a highly decentralized federation. But, as Messrs. Alesina and Spolaore put it, if America were as centrally governed as France, it would break up. That theory is now being tested by the Obamacare Democrats, and, as we see with the wretched Ben Nelson's cornhusker kickback or the blank check given to Fannie Mae and Freddie Mac, when American-style Big Government starts "buying off ethnic and regional factions," the sky's the limit. To attempt to impose European-style centralized government on a third of a billion people from Maine to Hawaii is to invite failure on a scale unknown to history. Which is to say that, domestically, Washington's retreat from *la gloire* will be of an entirely different order of business from Paris's.

And overseas? If America becomes Europe in its domestic disposition and geopolitical decline, then who will be America? Of the many competing schools of declinism, perhaps the most gleeful are those that salivate over the rise of China. For years, Sinophiles have been penning orgasmic fantasies of a mid-century when China will bestride the world and America will be consigned to the trash heap of history. It will never happen: As I've been saying for years, China has profound structural problems. It will get old before it gets rich.

Russia? The demographic deformation of Czar Putin's new empire is even more severe than Beijing's. Russia is a global power only to the extent of the mischief it can make on its acceleration into a death spiral.

The new Caliphate? Even if every dime-store jihadist's dreams came true, almost by definition an Islamic imperium would be in decline from Day One.

So there's no plausible new kid on the block? Isn't that good news? Not exactly. Much of the timing of American decline depends on Beijing, which will make the final determination on such matters as when the dollar ceases to be the world's reserve currency. Given that they hold at least the schedule of our fate in their hands, it would be rather reassuring if they had the capability to assume America's role as the global order-maker. But they don't and they never will. The most likely future is not a world under a new order but a world with no order—in which pipsqueak states go nuclear while the planet's wealthiest nations, from New Zealand to Norway, are unable to defend their borders and are forced to adjust to the post-American era as they can. Yet, in such a geopolitical scene, the United States will still be the most inviting target—first because it's big, and second because, as Britain knows, the durbar moves on but imperial resentments linger long after imperial grandeur.

One sympathizes with Americans weary of global responsibilities that they, unlike the European empires, never sought. The United States now spends more on its military than the next 40 or so nations combined. Yet in two rinky-dink no-account semi-colonial policing campaigns, it doesn't feel like that, does it? A lot of bucks, but not much of a bang. You can understand why the entire Left and an increasing chunk of the Right would rather vote for a quiet life. But that's not an option. The first victims of American retreat will be the many corners of the world that have benefited from an unusually benign hegemon. But the consequences of retreat will come home, too. In a more dangerous world, American decline will be steeper, faster, and more devastating than Britain's—and something far closer to Rome's.

In the modern era, the two halves of "the West" form a mirror image. "The Old World" has thousand-year-old churches and medieval street plans and ancient hedgerows but has been distressingly susceptible to every insane political fad, from Communism to Fascism to European Union. "The New World" has a superficial novelty—you can have your macchiato tweeted directly to your iPod—but underneath the surface noise it has remained truer to old political ideas than "the Old World" ever has. Economic dynamism and political continuity seem far more central to America's sense of itself than they are to most nations'. Which is why it's easier to contemplate Spain or Germany as a backwater than America. In a fundamental sense, an America in eclipse would no longer be America.

But, as Charles Krauthammer said recently, "decline is a choice." The Democrats are offering it to the American people, and a certain proportion of them seem minded to accept. Enough to make decline inevitable? To return to the young schoolboy on his uncle's shoulders watching the Queen-Empress's jubilee, in the words of Arnold Toynbee: "Civilizations die from suicide, not from murder." **NR**

Enemies,
NOT DEFENDANTS

Let the law of war meet the War on Terror

BY ANDREW C. McCARTHY

WILL the case of Umar Farouk Abdulmutallab, the terrorist who attempted to murder the 288 passengers and crew aboard Northwest Flight 253 on Christmas Day, inspire a national epiphany? Will Americans finally grasp how insane it is to regard counterterrorism as a law-enforcement project rather than a matter of national security?

In the last paragraph of its December 30 report on the attack, the *Washington Post* got around to telling its readers that Abdulmutallab had clammed up. After giving the FBI some information in the early stages of his interrogation, he ceased cooperating, on the advice of his defense lawyers. "Authorities are holding out hope that he will change his mind and cooperate with the probe," the paper reported. The *Post*, like Pres. Barack Obama, Attorney General Eric Holder, and many of those now serving as national-security officials in the Obama administration, was a persistent critic of Bush-era counterterrorism measures. It was, however, embarrassed by the rash of snarky criticism inspired by its naïve-sounding "holding out hope" formulation, and the editors purged that language from later editions of the story. But the original version had it right: Under civilian justice protocols, authorities can do no more than hope for Abdulmutallab's cooperation. And that is why the civilian criminal justice system is no place to handle these cases.

While we're hoping for the cooperation of its operatives, al-Qaeda's thriving franchise in Yemen (al-Qaeda in the Arabian Peninsula, or AQAP) is busy training hundreds of terrorists to carry out strikes against the United States. Abdulmutallab spent significant time in Yemen and dealt with AQAP at a very high level. That makes him the kind of source that an intelligence agent dreams about. If you were working in counterterrorism, you'd want to interrogate him for weeks—and you'd want to keep him around for even longer than that, so you could return to him, time and again, as you gathered new information: surveillance photos with new faces to identify, recorded conversations with new voices to recognize, intercepted e-mails with new codes to break.

When I was a federal prosecutor, we had access to high-ranking Mafiosi—turncoats who continued providing valuable intelligence on the New York crime families for several years after they'd been flipped. It's not just a matter of exhausting sources' current operational intelligence. They are insiders, and they know more than our agents and prosecutors do about how these illicit enterprises work. Even when their information about plots is no longer current, they can help you make sense of new information, cutting through complications that you could never untangle on your own.

But we can't talk to Abdulmutallab, because the Obama administration has decided to make the criminal justice system America's default response to terrorism. Let's run through what that means in concrete terms: When agents take a criminal suspect into custody, *Miranda* mandates that they tell him, before they ask a single question, that he has an absolute right not to speak to them—and that he probably shouldn't speak to them, because what he says could be used against him in court. He is informed that he has a right to legal counsel and that he is free to have his lawyer present at any questioning. He learns that if he can't afford a lawyer, the government will get him one at public expense. All of this diminishes the government's ability to interrogate the likes of Abdulmutallab.

The Federal Rules of Criminal Procedure also require that agents take an arrested person, without undue delay, to the nearest available magistrate. In practice, that means within about six hours. Think about what that meant in this case: Our national-security apparatus had suffered another intelligence debacle, so the government's first priority after Abdulmutallab's capture was to figure out who had known what when, why it hadn't been communicated to the right people, and how to protect the reputations and careers of those who were responsible. In the interim, FBI agents in Detroit were tasked with interrogating Abdulmutallab. The Detroit agents were not chosen because they had special expertise about AQAP. They caught the case because they happened to be on the scene.

There is no doubt that they had insufficient information at their fingertips in those critical first hours to conduct an effective interrogation. As a practical matter, when a crime is committed on Christmas Day at the start of a weekend, the six-hour interrogation window can be stretched. But it can't be stretched by much, particularly in a high-profile case involving a defendant with a wealthy family, one who can hire counsel and doesn't need to wait for the government to get around to calling whatever legal-aid lawyer is on duty. So the defense lawyer is injected into the situation while the interrogating agents, who certainly don't know Abdulmutallab and may not know AQAP from a hole in the wall, are scrambling to pull together what is in the government's files. By the time they have gotten themselves sufficiently up to speed to do an extensive, informed interrogation, the subject has started talking to his lawyer and stopped talking to investigators.

The purpose of promptly bringing a defendant before the first available magistrate is to conduct what's called a "presentment." Protecting the defendant's rights, giving him the best possible shot at beating the rap, is a central imperative in all proceedings in the criminal justice system. All presumptions are in favor of the accused. At the presentment, the judge examines the charges to make sure there was probable cause for the arrest. He ensures that the defendant knows why he is being held, makes certain that counsel is in place, and reminds the defendant that he is not required to make any statements to the police and that he should probably stop talking if he has spoken to them already. The assignment of counsel is usually the end of

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Umar Farouk Abdulmutallab

UPI/U.S. MARSHALS

meaningful interrogation, and Abdulmutallab's case has obviously reached this point.

What has been lost here is not an opportunity to use waterboarding or other controversial forms of enhanced coercion on Abdulmutallab, but the chance to conduct simple, lawful questioning of an important and knowledgeable terrorist operative who is presumably in possession of useful information about AQAP. Treating a detainee as an unlawful enemy combatant means regarding him as a prisoner of war, but because a terrorist operative has targeted civilians and has not complied with other law-of-war requirements, he is not protected by Geneva Conventions limitations on interrogation—we don't have to content ourselves with "name, rank, and serial number." It is permissible to question him without the involvement of a lawyer. This is not to say that we should abuse him physically. We should, however, hold him for an extensive period of time, make him feel helpless and dependent, and thereby pressure him to tell us what he knows. Many jihadists will have been trained by al-Qaeda to resist, so the process may take a long time.

The criminal-justice approach takes away all of this leverage. Giving a prisoner both an attorney and a civilian trial empowers him. The lawyer will advise him that the government needs him as much as he needs the government. He'll be counseled that he should not speak unless prosecutors agree to drop charges, agree not to use his statements against him, or agree to send him to a nice minimum-security jail (or, perhaps, deport him to his home country). Also on his lawyers' advice, he will demand that the government agree to give him various comforts and benefits, and in a capital case he will certainly demand that they agree to drop the death penalty in exchange for his cooperation. His lawyer will tell him, in essence, "Look, these guys had Binyam Mohammed in custody—a guy who tried to mass-murder civilians, just like you—and they let him go with no charges. Don't be afraid of them. If you tough this out and play your cards right, maybe they'll let you go too. And at the very least they'll agree to all sorts of accommodations." It's not for nothing that, upon being captured in Pakistan, 9/11 mastermind Khalid Sheikh Mohammed taunted American agents that he'd talk to them—in New York, with his lawyer.

The prosecution will not want to agree to any accommodations and should not agree to them in a national-security case. Once you accommodate a defendant on anything, the psychological ground shifts. He realizes that he is in control. He sees that his information results in your concessions. He is motivated to hold back the most valuable intelligence in order to wangle the dearest benefits. And if he forgets that, his trusty attorney is there to remind him.

You can take my word on that, but you don't have to: Listen to Michael Ratner, head of the Center for Constitutional Rights, the leftist outfit that—when not running around Europe trying to get Bush officials indicted for war crimes—coordinated representation for all the Gitmo detainees after the federal courts intruded on the military's detention of enemy combatants:

> We have over one hundred lawyers now from big and small firms working to represent these detainees. Every time an attorney goes down there, it makes it that much harder [for the U.S. military] to do what they're doing. You can't run an interrogation and torture camp with attorneys. What are they going to do now that we're getting court orders to get more lawyers down there?

Ratner is absolutely correct in this assessment, but there's an important caveat. The courts have not ruled that enemy combatants are entitled to counsel immediately. They can be held and interrogated for a long time before a lawyer is permitted to intervene. Moreover, even if a court tried to interpose a lawyer right after capture, the president could tell the court to mind its own business. That's precisely what FDR did in 1942, warning the Supreme Court that he would ignore any ruling (in *Ex Parte Quirin*) in which the justices presumed to interfere with the commander-in-chief's treatment of eight Nazi saboteurs captured in New York and Chicago.

The Constitution makes the political branches responsible for the conduct of war. The courts have no role in war under the Constitution; they've managed to usurp one over the last nine years only because the political branches have been too craven to stand up to them. Obama, even worse, has abdicated an important part of his constitutional duties by voluntarily submitting a high-value wartime captive to the control of judges. In addition to making certain that Abdulmutallab knows he doesn't have to tell investigators anything, this means that the next thing he gets is a bail hearing. Presumably, bail will not be a possibility in Abdulmutallab's case. The evidence that he is a "danger to the community" and a "risk of flight" (the requirements for pretrial detention) is overwhelming. There is, however, a heavy price that must be paid for the denial of bail: Under the Speedy Trial Act and the Sixth Amendment—provisions from which Abdulmutallab, a Nigerian national, will benefit in the civilian system—a pretrial detainee must be indicted within ten days unless his lawyers and the prosecutors agree to extend this deadline.

Once a rushed indictment is filed, the case is assigned to a judge. After that, it's all about the trial: discovery, subpoenas, motions to suppress evidence, etc. Intelligence gathering becomes a low priority, and interrogation a distant memory. The government's resources are concentrated on the litigation, and its responsibilities include making sure that the defendant has all

5 Things
Everyone Should Know About Identity Theft:

1. **You're Only as Safe as Your Weakest Link.**
The challenge in protecting your identity is that your personal information is everywhere. Even if you shred your private documents, or use secure websites and strong passwords, what about everyone else who has your Social Security number – like your doctor, dentist or the 17-year-old clerk handling your credit application at the electronics store? The problem quickly becomes obvious: you may be doing everything right, but what about everyone else who has your information?

2. **Once Your Social Security Number is Out, It's Staying Out.**
If your credit or debit card is stolen, you can replace it, but what happens when non-changing information like your Social Security number is stolen? The fact is, once it's out, it's out. Identity thieves buy, sell and trade stolen information, using it over and over again for years. Is your Social Security number really secure?

3. **Anyone Can Be A Target.**
News reports revealed that even the chairman of the Federal Reserve[1] was one of the 9.9 million Americans who were victims of identity theft in 2008.[2] Other reports describe how one identity theft ring was responsible for two of the largest thefts in history, resulting in the theft of more than 130 million credit and debit card numbers.[3] Think you could be at risk? (See #1.)

4. **How Protected Are You?**
You may think you're protected, but are you really? Your credit card may be safeguarded; but that won't help if thieves open new lines of credit. Credit monitoring will only alert you once something bad has already happened. Neither method will help prevent identity theft, nor resolve problems once you've become a victim.

5. **There is Help.**
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[1] Source: "Bernanke Victimized by Identity Fraud Ring." Newsweek. 25 August 2009. Web. 20 September 2009. [2] Source: Javelin Strategy & Research. "2009 Identity Fraud Survey Report." February 2009. [3] Source: "Hacker Pleads Guilty in Data Theft." The Boston Globe. 12 September 2009. Web. 20 September 2009.

the information he needs to defeat the charges. Because this is a criminal trial, he's presumed innocent—the leitmotiv of our civilian justice system being that we'd rather see many guilty men go free than risk having a single innocent man wrongly convicted. The accused gets every bounce of the ball. This is a very fine way to conduct law enforcement, but it is a breathtakingly irresponsible way to approach counterterrorism.

Even if President Obama remains committed to the civilian criminal justice system as the default for terrorists' prosecutions, there is no reason Abdulmutallab or any other arrested terrorist has to be handed over to that system immediately upon capture. Jose Padilla, the so-called dirty bomber, was captured in May 2002 upon his arrival in Chicago, whence he had been dispatched by KSM to help carry out a wave of post-9/11 attacks. He was held as an enemy combatant for nearly four years, during which time he was extensively interrogated and surrendered valuable intelligence. Finally, in 2006, he was turned over to the civilian criminal justice system to face terrorism charges. He complained that the indictment should be dismissed because of what he portrayed as the government's misconduct in detaining him as an enemy prisoner. The courts rejected this argument, even though, unlike Abdulmutallab, he is an American citizen. He is now serving a lengthy prison sentence.

The Supreme Court reaffirmed military detention in 2004 in the case of Yaser Esam Hamdi, another American citizen. To be sure, Hamdi was apprehended overseas in battlefield circumstances. But Ali Saleh Kahlah al-Marri, a Qatari national (and therefore, like Abdulmutallab, an alien combatant), was arrested in the U.S. in December 2001 and detained as a military prisoner for over five years. In 2009, he was indicted and pleaded guilty. It was no defense that he'd been confined and questioned for years.

The first duty of government is the security of the governed. In wartime, the first duty of the commander-in-chief is to quell the enemy, not to prosecute its operatives. The latter is not unimportant, but it is a decidedly lower priority than obtaining intelligence and thwarting attacks. And these worthy goals do not have to be in tension: We can effectively interrogate, gather intelligence, prevent terrorist attacks, and prosecute terrorists. All that is necessary is to shift from a criminal-justice model to a law-of-war model.

President Obama, at least occasionally, acknowledges that we are a nation at war and that Congress has authorized military operations against al-Qaeda. Consequently, when an al-Qaeda operative such as Abdulmutallab is arrested, our default process should be military detention and interrogation. Only when that process has run its course—the length of which will vary depending on the prisoner's place in the terrorist hierarchy—should we worry about prosecution.

Those prosecutions should be by military commission. But military detention does not preclude a subsequent civilian trial, if that is the course Obama insists on. True, prosecutors may not be able to use interrogation statements made without *Miranda* warnings as evidence, although even that is an open question for statements made voluntarily. But in a case like Abdulmutallab's, in which there are hundreds of witnesses and damning forensic evidence, we don't need his statements to convict him.

We just need them to save lives. **NR**

Until Next Time

The privacy lobby is inviting another Abdulmutallab

BY STEWART A. BAKER

The Christmas Day attempt to bomb Northwest Airlines Flight 253 brought with it an especially unsettling aspect of déjà vu. Eight years earlier, there had been another transatlantic flight, another Islamic terrorist from outside the Middle East, and another near miss. Then, too, the solo terrorist had had trouble triggering the explosive, and alert passengers and crew had subdued him.

Counting the "liquids plot" of August 2006, this was al-Qaeda's third post-9/11 attempt to bring down a transatlantic jet. The fixation on destroying transatlantic flights is reminiscent of an earlier fixation on the World Trade Center. It's safe to assume that they're likely to keep trying until they succeed. We've known this for years—but we haven't managed to keep al-Qaeda operatives and explosives off the planes. Why not? In part, because our air-security system failed to work as designed. But also, in part—and this is even worse—because of the way it was designed in the first place; and because, in the years since 9/11, the privacy lobby has managed to stall a host of new security measures.

Let's start with the unfortunate focus of our air-security system. Keeping weapons off planes has been our central strategy since the days of the Cuban hijackings in the 1960s. Clearly, we're coming to the end of that era: Weapons keep getting smaller and their hiding places keep getting more imaginative and harder, or more embarrassing, to find. Umar Farouk Abdulmutallab was carrying about 80 grams of explosives—a bit heavier than a hot dog, a bit lighter than bra inserts that can change a B cup to a C.

The focus on weapons has to change, about which more later, but at present searching for weapons is the system we have, and it badly needs improvement. We actually do have better ways to find small weapons hidden in embarrassing places. The millimeter-wave and backscatter machines that look beneath clothing are far preferable to a "patdown" that probes everywhere that three ounces of explosives could be hidden. And, creepy as the scanners are, the privacy issues can be handled by making sure the images can't be stored or copied and the image screeners are nowhere near the people being screened.

The Transportation Security Administration (TSA) has been using these machines as an alternative to patdowns in "sec-

Mr. Baker, a partner in the law firm Steptoe & Johnson LLP, was assistant secretary for policy at the Department of Homeland Security from 2005 to 2009. He is also the author of a forthcoming book on technology and terrorism.

ondary" screening for about a year. But most travelers don't trigger secondary scrutiny. Abdulmutallab didn't. If keeping weapons off the plane is our main line of defense—and it currently is—we need to screen everyone for the weapons Abdulmutallab was carrying.

So why don't we? Today, everyone's clamoring for the scanners, and even the privacy groups are trying to sound quite responsible on the subject. According to the *New York Times*, Marc Rotenberg, head of the Electronic Privacy Information Center (EPIC), asserted after the Flight 253 incident that "his group had not objected to the use of the devices, as long as they were designed not to store and record images." In fact, though, just three months earlier EPIC and nearly two dozen other privacy groups had sent a letter to Congress saying that whole-body imaging ought to be prohibited.

The coalition that signed that letter was a well-oiled machine, one that had stalled many new security measures since 9/11. And, as far as whole-body imaging was concerned, the privacy lobby was on the brink of another success. In June, a bipartisan majority of the House of Representatives had voted to prohibit TSA from using the machines for primary screening. With a three-to-one margin of victory, it was nearly inevitable that the restriction would find its way into an appropriations bill or some other must-pass piece of legislation. If not for the inconvenient timing of the Christmas attack, another new security technology would have been taken off the table. (Oh, by the way, NATIONAL REVIEW readers, don't get too comfortable making fun of EPIC and the other left-leaning groups that have made privacy their cause. The privacy coalition that nearly killed imaging also included the American Association of Small Property Owners and the Gun Owners of America, and they persuaded large numbers of conservatives to vote against the security interests of air travelers.)

The influence of the privacy coalition can be seen in a second Christmas Day failure. Abdulmutallab wasn't on the 4,000-person no-fly list (where President Obama now believes Abdulmutallab's name once belonged). Worse, he wasn't even on the 14,000-person selectee list, which would have guaranteed added screening at the TSA checkpoint. And, remarkably, he apparently wasn't even in the 400,000-person unclassified Terrorist Screening Data Base—the resource used by all agencies to screen for terror suspects. Instead, bits of information about him were apparently sitting in the classified 550,000-person Terrorist Identities Datamart Environment database—essentially a holding pen for information about possible terrorists that is still too fragmentary to enter in the screening databases.

Set aside the failure to put Abdulmutallab into the main screening database—that looks like an error. What's really troubling is not the error but the policy. We have pretty good information on 400,000 possible terrorists, but fewer than 20,000 of them are on the lists that TSA uses to screen air travelers. That means that 95 percent of the possible terrorists we know about can get on a plane bound for the U.S. without receiving any more scrutiny than a grandmother from Dubuque.

The FBI, the CIA, and the State Department know about these 400,000 suspects—but not TSA. For TSA, if you aren't on the no-fly or selectee lists, you're just regular folks. This is so not because TSA didn't get the memo about Islamic terrorism, but because that's the way the privacy machine wants it. It's the intended result of the machine's remarkably successful effort to stall and then roll back the security reforms undertaken after 9/11.

THERE'S already an entrenched mythology about the response to 9/11. In the myth, a frightened U.S. government throws civil liberties out the window within weeks of the attacks, launching a seven-year assault on our privacy that a new administration is only now slowly (too slowly, say the netroots) beginning to moderate. But in reality, privacy groups mobilized within weeks of 9/11 and won victory after victory. The Justice Department had to negotiate the USA PATRIOT Act with chairman Patrick Leahy of the Senate Judiciary Committee—a process often ignored when the act is presented as a panicky *fait accompli* imposed by the executive branch. Then, within 18 months of the attacks, the privacy groups killed the TIPS program designed to encourage citizens to report suspicious behavior, as well as Adm. John Poindexter's Total Information Awareness (TIA) program, an effort to improve the use of information technology in the War on Terror.

After that, they went looking for bigger game. What they found was TSA.

The Department of Homeland Security (DHS) was brand-new in 2003. One of its priorities was to do exactly what the talking heads are now demanding in the wake of the Christmas Day attack: It wanted to transform TSA's screening system from one that looked mainly for weapons to one that looked for terrorists as well. The tool for doing that would be a second generation of the Computer Assisted Passenger Prescreening System, or CAPPS II. CAPPS II would process passengers' travel reservations to identify terror suspects much earlier and screen them more carefully—both before they got to the checkpoint and while they were there.

Until 2003, because TSA lacked access to travel-reservation data, it had relied on the airlines to do the screening. It sent over a list of names, and the airlines checked to see whether anyone with a listed name had made a reservation. If such a

If keeping weapons off the plane is our main line of defense—and it currently is—we need to screen everyone for the weapons Abdulmutallab was carrying. So why don't we?

person was on the no-fly list, the airline refused to give him a boarding pass. If he was on a selectee list, his boarding pass was marked so that screeners could single him out for additional scrutiny.

That system was deeply unsatisfactory for many reasons, particularly as a consolidated list of possible terrorists was assembled from the many separate databases that existed before 9/11. Once these names had been assembled, the list was long and sensitive. No one wanted to trust unknown airline personnel with the crown jewels of U.S. counterterrorism intelligence, so giving them the entire list was out of the question. Plus, the airlines weren't that good at figuring out when they had a name that matched. They'd flag Abdulmutallab for screening if that was the name they received from the government. But not Abdul Mutallab. Or Abdulmuttallab.

To make sure that planes were not brought down by a typo, the government had to supply all the likely variants and aliases for every suspect. That created a new problem: Millions of Americans have names that resemble those on the list. Of course they have different addresses and birthdates, so a halfway-decent computer system would not flag those people for scrutiny. The problem was that many in the perennially bankrupt airline industry *didn't* have a halfway-decent computer system, and they weren't eager to spend money upgrading their systems just to do the government's screening job for it.

So, in 2003, DHS proposed to take over the processing of the list. The idea was straightforward: TSA would collect reservation data from the airlines and run its terror-suspect lists against the reservations. The reservation data would help resolve ambiguous cases in which two or more people had similar names. It would also provide new security capabilities, allowing TSA to identify connections between suspects who were on its list and previously unknown passengers who shared addresses or phone numbers with the suspects and who might be conspiring with them.

There was a bitter lesson at the bottom of that idea. In August 2001, when the government was looking for the two known al-Qaeda operatives at the heart of the 9/11 plot, it would have caught them if it had had access to travel-reservation data. The reservation data would also have revealed links between those two and many of the other hijackers—all before the morning of September 11.

So a new system must have seemed like a no-brainer to the new management at DHS. But, fresh from its victories over TIPS and TIA, the privacy coalition had other ideas. "This system threatens to create a permanent blacklisted underclass of Americans who cannot travel freely," an ACLU counsel told the Associated Press in February 2003. Another ACLU attorney declared that CAPPS II would "give the government an opening to create the kind of Big Brother program that Americans rejected so resoundingly in the Pentagon." By June 2003, the organization had filed suit to block the program. By August, a Left-Right privacy coalition was lobbying against it. And by September, just two years after 9/11, the privacy groups had won: Congressional appropriators stopped the program dead in its tracks and prohibited implementation of any program like it until the Government Accountability Office (GAO) certified that ten strict conditions had been met. DHS spent the next five years trying to meet those requirements, without success. Finally, in late 2008, DHS succeeded in launching Secure Flight, a pale imitation of the original program, which gave TSA access to no traveler information other than name, gender, and birthdate. The GAO declared that TSA had met only nine out of ten requirements, and let the appropriators deem that sufficient to begin Secure Flight. To its credit, the Obama administration has stuck with Secure Flight.

So, eight years after 9/11, we're still looking for weapons and not terrorists—because of the obstructionism of the privacy lobby. As long as Secure Flight was stalled, we were all stuck with the old system of sending lists to airlines and living with whatever their creaking computer systems dished up. Most couldn't separate Sen. Ted Stevens's wife from the singer formerly known as Cat Stevens (a reported apologist for the fatwa against Salman Rushdie). As the lists grew, and Secure Flight still languished, the blame fell not on the privacy machine, but entirely on the agency that had tried to fix the problem years earlier. As long as Secure Flight was stalled, administering even a small no-fly and selectee list was painfully difficult, and a massive inconvenience for travelers whose names resembled those on the no-fly and selectee lists. TSA took all the blame—thus discrediting both the idea of screening for possible terrorists and an agency that no traveler was much disposed to love in any event. Every time TSA's reputation took a hit for mismatched names, it became easier for Congress and the privacy groups to say that they still didn't trust the agency to administer a new program.

In fact, the millions of privacy victims created by the mismatched names became an excuse for rolling back other security measures, including the terrorist watchlist. In 2008, when TSA began to get close to meeting the congressional requirements for Secure Flight, ACLU official Barry Steinhardt held a news conference to announce that the watchlist had reached 1 million names (he was wrong, but the coverage was good anyway). "The list is out of control," he said. "There cannot possibly be 1 million terrorists threatening and poised to attack us. If there were, our cities would be in ruins." He mourned "the tens of millions of Americans [who would now be] caught up in a Kafkaesque web of suspicion."

This almost brings us up to Christmas Day 2009, and the question of why Abdulmutallab wasn't on a no-fly or selectee list, or for that matter why 95 percent of the terrorist suspects known to the U.S. government are treated like upstanding citizens when they get to a TSA checkpoint. I have a pretty good idea why the no-fly and selectee lists are so hard to get on. Imagine you were a security official watching the ACLU press conference in 2008. They got the number of names on the list wrong, trashed TSA for a problem they'd created themselves, and got fawning coverage for it. Do you really want to stick your head over the parapet and suggest a substantial expansion of lists that the ACLU says are already "out of control" and victimizing tens of millions of Americans?

In the end, I'm sure all the investigations the president has asked for will find errors in how the agencies handled the lists and the screening. But when they do, let's for once skip the football analogies—the "fumbles" and the "dropped balls"—and go straight to tennis. Because if ever there was a "forced error" in policymaking, this is it. And, as in tennis, full credit should go to those who forced it. In this case: the privacy machine. **NR**

The Long View

BY ROB LONG

OFFICIAL TRANSCRIPT

WHITE HOUSE PRESS BRIEFING

JANUARY 5, 2010
EXTRACT: 09:43 TO 10:17

ROBERT GIBBS: Thank you all for coming. I have just a few housekeeping items, and then a major announcement. Today the president met with his national-security team and discussed the current situation in Yemen and Iran. Later this morning, he met with his economic-policy team to review measures necessary to stimulate the economy. Later today he'll be on a conference call with members of the House and Senate to discuss pending health-care legislation.

Q: Will he be endorsing a health-care—

ROBERT GIBBS: If I could just finish, Major? Thanks. To continue, the president will speak to the nation tonight, addressing a whole range of topics. In a response to a constellation of issues that have arisen, he'll be declaring an all-out assault by the federal government, equal in scope to Lyndon Johnson's War on Poverty, or our current War on Terror.

[NOISE] [CROSSTALK]

Q: What will this war be?

Q: Is this a war on—

Q: Wall Street?

Q: On what?

ROBERT GIBBS: Tonight at 9 P.M. Eastern time, President Obama will declare a War on Reality. He will call on all branches of government and volunteer organizations to stand together and fight against reality in all of its forms.

[NOISE] [CROSSTALK]

ROBERT GIBBS: Any questions?

Q: In light of this new War on Reality, is the president planning to make any changes in his anti-terrorism policy in the wake of the so-called Under-Bomber and the lapses in security at Newark airport?

ROBERT GIBBS: Jake, I think this has been covered. But to reiterate: The system in place worked perfectly, except in the specific instance of a bomb-wielding passenger, previously known to us, boarding a transatlantic flight without luggage, paying cash for a one-way ticket, and attempting to murder several hundred persons.

Q: But isn't that . . . ?

ROBERT GIBBS: I've answered this, Jake. Again, the system worked perfectly except in that one specific instance. But the system always had a policy of relying on a Dutch filmmaker to provide crucial third-tier fall-back support.

Q: Wait. What?

ROBERT GIBBS: Next question.

Q: Turning to the economy, it seems that the trillion-dollar stimulus package passed last year has been a failure. Even using your own White House yardstick of unemployment. Are you contemplating another stimulus?

ROBERT GIBBS: Yes. Of course. The president believes along with his economic team that another round of stimulus spending is crucial.

Q: But isn't that just throwing good money after bad?

ROBERT GIBBS: No, Wendell, it's not. As part of the president's comprehensive War on Reality, our view is that the first stimulus package worked perfectly.

Q: But didn't you say that about the TSA security measures?

ROBERT GIBBS: Yes. Those worked perfectly, too. I'm not saying that the first stimulus package worked as well as the airline screening process, but it's hard to compare apples and oranges. Let's just say that the president's economic plan is giving the gang at Homeland Security a run for their money in the working-perfectly department.

[CHUCKLES] [LAUGHTER]

ROBERT GIBBS: Next question. Chuck?

Q: Is the president at all worried about the polls that say that his popularity is plummeting?

ROBERT GIBBS: Glad you asked that, Chuck. Look, the president is engaged in long-term thinking and long-term leadership. He understands that polls go up and down. But he's very cheered by the recent poll numbers, and is pleased that the American people approve of his efforts.

Q: Um . . .

ROBERT GIBBS: Wait. Wait. Think about it.

Q: Is this part of the War on Reality?

ROBERT GIBBS: Now you're getting it! See if you can rephrase your question, Chuck.

Q: Um, okay. Is the president . . . happy . . . about his poll numbers, which are . . . awesome?

ROBERT GIBBS: The president is thrilled with his awesome poll numbers. Chip?

Q: This is fun! Is the president pleased with the nationwide outpouring of support for his health-care plan?

ROBERT GIBBS: Couldn't be happier. Everything is working out perfectly.

Q: Hey! I'm getting the hang of this! Is the president overjoyed about the record personal bankruptcies, high unemployment, soaring deficits, looming debt crisis, collapsing dollar, and general tone of pessimism that's out there?

ROBERT GIBBS: The president is pleased that things are unfolding as planned. The system is working.

Q: Coming off a series of personal triumphs—his well-earned Nobel Prize, the successful climate conference in Copenhagen, which did not in any way spiral down into chaotic nonsense, and his highly influential relationship with Russia—what does the president envision will be the high points of 2010?

ROBERT GIBBS: Well, the midterm elections, obviously. They'll be a ringing endorsement of his policies. Victory in Afghanistan, naturally. The economic rebound. That sort of thing. Oh, and a big tax hike. It's all going according to plan. The system is working.

Books, Arts & Manners

Ash Heap or Mountain Top?

LEE EDWARDS

Reappraising the Right: The Past & Future of American Conservatism, by George H. Nash
(ISI, 446 pp., $27.95)

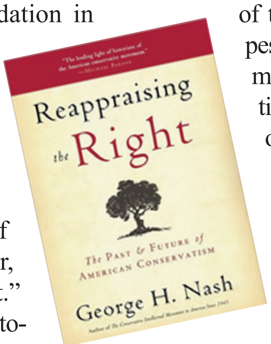
An historian must have a passion for the past, a compelling desire to learn all there is to learn about an age, a movement, or an event and the men and women who shaped it and were shaped by it. He must have an equal desire to tell the story of that past as completely and objectively as possible, never allowing a mesmerizing personality or an overarching event to distort the telling. And he must have a judicial temperament that enables him to differentiate between the sensational and the consequential, the fleeting and the fundamental.

American conservatism has been fortunate for more than 30 years to have a masterly historian studying and writing about the individuals and institutions that have transformed a congeries of "irritable mental gestures"—Lionel Trilling's words—into a major intellectual and then political force. George H. Nash's first book, published in 1976, was *The Conservative Intellectual Movement in America Since 1945*. It immediately became and remains a classic work, indispensable reading for anyone interested in American conservatism.

Many of us have waited and hoped for a sequel, and implored George Nash to write it. We now have the next best thing—a collection of his articles, lectures, and ruminations. Like the earlier work, *Reappraising the Right* is essential reading for the conservative.

In his introduction, Nash acknowledges that following the decisive Democratic victory in 2008, American conservatism is at a crossroads. He points to the open squabbling between elitists like David Brooks and populists like Rush Limbaugh about what American conservatives should do to "regain their footing in the new political terrain." Should they go back to basics and proclaim first principles with renewed fervor? Or should they concentrate on devising fresh public policies that appeal to a "putatively . . . pragmatic electorate"? In what way, if any, should the movement reconfigure itself?

Nash recalls Whittaker Chambers's advice to William F. Buckley Jr.: "That is what conservatives must decide: how much to give in order to survive at all; how much to give in order not to give up the basic principles." Nash says flatly that whatever the decision, whatever the balance achieved and maintained, "Conservatism in America is not dead."



The book begins with a 1987 Nash lecture at the Heritage Foundation in which he explores the American experience, concluding that there has been a tradition of conservative reform from the beginning. He singles out the core values of individual merit, equality of opportunity, and progress or, as he puts it, "improvement." Ronald Reagan, he says, epitomizes one strong aspect of the American temperament—our optimism, our belief that we can solve almost any problem. Some traditional conservatives were uncomfortable with such triumphalism and winced whenever Reagan quoted Tom Paine, as he often did, to the effect that "we have it in our power to begin the world over again." But Reagan's remarkably successful presidency at home and abroad trumped their disquiet.

The one thing, Nash argues, that has enabled the nation to overcome all its economic, social, political, and military crises is the people's "Christian religious belief." While conceding that America is a modern nation, Nash concludes that its modern elements must be conjoined with what Russell Kirk called the "permanent things"—things of the spirit and the institutions that sustain them. Without this fusion, "the American experiment may fail."

Nash then offers deft, insightful profiles of conservatives such as newspaper columnist John Chamberlain, longtime ISI president E. Victor Milione, the brilliant, disputatious Willmoore Kendall, and polymath Ernest van den Haag.

In an essay on Russell Kirk, Nash says that his magisterial 1953 study *The Conservative Mind* not only breached the wall of liberal condescension but stimulated the development of a new conservative movement. Kirk's book gave American conservatism what it had previously lacked—an identity. More than 50 years after the publication of *The Conservative Mind* and some 15 years after his death, writes Nash, Kirk's legacy as a moralist endures: "He elevated our discourse—and our vision."

Nash also pays homage to another eminent intellectual of the post-war Right—Richard Weaver, author of the justly acclaimed *Ideas Have Consequences*. This work, says Nash, is a "luminous example" of the literary tradition of "cultural pessimism." By linking the rise of modernity with cultural disintegration, Weaver put "modernity itself on trial." In so doing, he dramatically extended "the mental horizon" of American conservatism.

The crisis of the West, Weaver wrote in 1948, was not simply a battle against Communism or the welfare state but "a civilizational catastrophe," born of unintelligent choice and philosophic error deep in our past. This was to be a central tenet, Nash says, of traditionalist conservatism for years to come. I would add that it remains a core idea of conservatism to this day.

The second part of *Reappraising the Right* is about every conservative's favorite conservative, Bill Buckley. Nash revisits Buckley's first bestseller, *God and Man at Yale*, which he says will live on because it addresses the fundamental questions about faith, freedom, and education that continue to roil public life. He examines Buckley's astonishing literary output—a Mississippi River of words. In addition to all the published books, columns, editorials, articles, and other works, his unpublished files (most of them correspondence) in the Sterling Library at Yale fill nearly "a thousand hefty boxes." Even Nash, a prodigious researcher, has not gone through all of them.

Nash predicts that Buckley's works will

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endure because 1) his career coincided with two great Western dramas—the struggle against totalitarian Communism abroad and the struggle to bolster the foundations of liberty at home; 2) his commentaries concern not just the ephemera of politics but "the vast cultural matrix out of which our political life evolves"; and 3) their central subject is people, and their author is "a person of singular joie de vivre."

The author then surprises us with several chapters about conservatism and the American Jewish community—a topic that seemingly could be covered in a couple of paragraphs. But, *mirabile visu*, there was the New York–based American Jewish League Against Communism, which garnered considerable publicity in the late 1940s and 1950s through, among other things, its highly visible support of Sen. Joe McCarthy. Owing to limited resources and controversial leadership, Nash says, the league never successfully mobilized a base among Jewish voters.

In its early days, National Review was sometimes described by critics as a "Catholic" magazine because Bill Buckley was Catholic, as were such associates and contributors as Priscilla Buckley, Garry Wills, Russell Kirk, and Thomas Molnar. But Nash writes about the forgotten Jewish godfathers of the magazine, including Austrian émigré Willi Schlamm, journalist Eugene Lyons, longtime literary editor Frank Meyer, religion editor Will Herberg, contributor Ralph de Toledano, Hollywood writer and satirist Morrie Ryskind, and arch-libertarian Frank Chodorov.

Nash completes this part of *Reappraising the Right* with a look at *Commentary* magazine, which made a long march from Cold War liberal to New Left to neoconservative under founding editor Elliot Cohen and his successor, Norman Podhoretz. In 1956, *Commentary* had greeted National Review with an article titled "Scrambled Eggheads on the Right." In 1973, Podhoretz invited Bill Buckley to participate in a *Commentary* symposium. While the two editors became good friends, their publications remained apart on issues like the appropriate role of the federal government. On this question, *Commentary* remained faithful to its liberal roots.

Although *Commentary* did not convert a majority of Jews to its brand of conservatism, says Nash, it made conservatism "a respected and unignorable presence in the Jewish community." And it opened a door to a new generation of conservative Jewish writers. Thanks to Podhoretz and his colleagues, Nash writes, "it was now respectable . . . to be both a Jew and a conservative."

A respected biographer of Herbert Hoover, Nash offers four chapters that posit the question: Is Hoover "a neglected conservative sage"? He does his considerable best to answer yes, concluding that the former president was orphan, engineer, humanitarian, statesman, the embodiment of an American ideal—"the ideal of upward mobility." But I must rejoin that, as our president at the beginning of the Great Depression, Hoover was *not* a conservative sage but a committed progressive who conceived society, as Nash admits, as something to be "deliberately, continuously, and endlessly reformed."

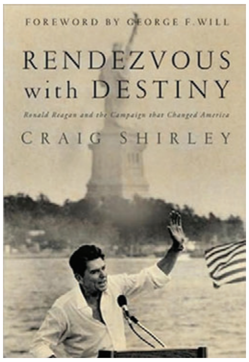
Nash ends his thoughtful reappraisal asking "Whither conservatism?" and responding that the following points should be kept in mind. Modern American conservatism is a "*coalition* with many points of origin and diverse tendencies." By the end of the Reagan presidency, there were five distinct impulses: libertarianism, traditionalism, anti-Communism, neoconservatism, and the interfaith Religious Right. Reagan gave "each faction a seat at the table and a sense of having arrived."

Conservative scholars have now noted the rise of "populist" or majoritarian conservatives, accompanied by a weakening of the anti-statist ideology that had long united conservatives. As the conservative universe has expanded it has also divided into subgroups like the paleocons, theocons, crunchy cons, immicons, and Leocons (disciples of Leo Strauss). I cannot resist suggesting another category—con cons (constitutional conservatives). The possibility of a coalition's dissolving is always there, Nash admits, but the dissolution of the conservative coalition can be avoided if conservatives remember "the ecumenism of Reagan," and avoid the temptation to "retreat into a fatal passivity" induced by disillusionment or despair.

On the very last page, Nash urges conservatives to break out of their comfortable cocoons, stop spending so much time talking to one another, and communicate their vision of a free, virtuous, and safe society in language that "connects not only with our own coterie but with the great majority of the American people." That is very sound advice from a conservative sage. **NR**

Bliss Was It In That Dawn

JAY COST


FOREWORD BY GEORGE F. WILL
RENDEZVOUS with DESTINY
Ronald Reagan and the Campaign that Changed America
CRAIG SHIRLEY

Rendezvous with Destiny: Ronald Reagan and the Campaign That Changed America,
by Craig Shirley (ISI, 740 pp., $30)

Ronald Reagan's 1980 campaign for the presidency was historic in numerous ways. Not only did Reagan inaugurate a new era of conservative governance, he was the only candidate in the 20th century to defeat an incumbent of the opposing party who had served just one term in office, and he did it by making major inroads into typically Democratic territory—winning working-class voters, white ethnics, and Catholics, all of whom became known as the "Reagan Democrats." Republicans have followed this Reagan template for 30 years—with great success in 1988, 1994, 2000, and 2004. When the GOP finally recaptures the presidency, it's an easy bet that the victorious Republican candidate will owe a great debt to Ronald Reagan and the campaign of 1980.

Craig Shirley has offered a comprehensive account of Reagan's triumphant march to Washington. *Rendezvous with Destiny* is a follow-up to his well-received account of Reagan's failed quest for the presidency in 1976. Shirley takes the reader on a step-by-step journey from Reagan's defeat at the 1976 Republican convention to his landslide victory over Jimmy Carter.

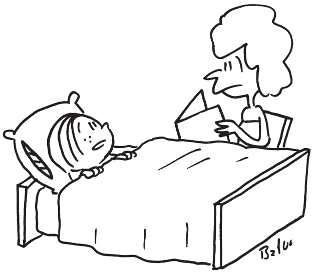
Mr. Cost is the author of the HorseRaceBlog at RealClearPolitics.com.

It sometimes feels as though no detail has been spared. In the first half of the book, the reader is treated to an extensive discussion of the gripping primary battles on both the Republican and the Democratic sides. The Republican clash between Reagan and George H. W. Bush receives most of the attention, but Shirley is careful to keep the reader apprised of developments in the clash between Carter and Sen. Edward Kennedy. He approaches the often bitter general-election campaign with the same exacting care. Along the way come fascinating insider perspectives of the historic moments in the campaign: the *Nashua Telegraph* debate between Reagan and Bush, in which the Gipper famously shouted, "I'm paying for this microphone, Mr. Green!"; the ever-present question of whether Gerald Ford would enter the race; the last-minute decision to go with George H. W. Bush as running mate; "debate-gate," or the issue of Carter's stolen debate books; and the late-breaking swing of the electorate to Reagan.

This is consequential history at every step, as the events of that cycle set the course for the Republican party for the next 30 years. Shirley recognizes the importance of the proceedings he catalogues, and accordingly he leaves no stone unturned. At 600 pages of narrative, plus almost 90 pages of notes, *Rendezvous with Destiny* gives every impression that its account is thorough and authoritative, that this is *the* book on the 1980 campaign. Shirley's research included over 150 insider interviews that span the political divides of that election. It's no small feat that this book is based on direct accounts from a diverse group that includes George H. W. Bush, Jimmy Carter, Dick Cheney, Walter Mondale, Michael Reagan, and many more. The result is a work that goes beyond the bland details and self-serving quotations of more typical accounts. Shirley obviously persuaded many of his diverse subjects to speak candidly, which makes this a first-rate work of insider history. His book reads like Bob Woodward at his very best: a probing, insightful, behind-the-scenes examination of events that had profound implications for the trajectory of American politics.

Shirley is admittedly a Reagan supporter, and while the narrative is not written explicitly from this perspective, it is clearly sympathetic. This makes for especially interesting reading in the first half, which is probably the strongest part of the work. There, Reagan is in the midst of an internecine war in the Republican party. Reagan was ultimately successful in uniting the rival groups within the GOP under the conservative banner. Yet campaigning amidst the cold, snow-covered hills of the Granite State in January 1980, Reagan was not yet the Reagan so many of us remember fondly today. He was instead the most prominent representative of a faction in a diverse party still struggling to find a voice in the wake of the Watergate scandal. In many respects, this was the time and place of the battle for the heart of the modern-day Republican party. Shirley is clearly rooting for Reagan during these events, just as any conservative reader no doubt would today; but what is fascinating is that so often one finds Shirley (and oneself) rooting *against* the Bush family, which would become the heir to the conservative dynasty Reagan initiated. Indeed, the significance of Reagan's victory is particularly striking when one considers that the presidency of George W. Bush essentially united the partisans of two of Reagan's opponents—George H. W. Bush and Gerald Ford—under the banner of Reaganite conservatism.

The only significant problem with the book is that Shirley occasionally misses the forest for the trees: If one did not know already that the campaign of 1980 was so consequential, it would be hard to glean this fact fully from the book. The larger impact of events is left relatively unexplored. This might be an inevitable consequence of providing such detail, but it could also be a result of Shirley's decision to organize his material chronologically. If he had arranged it thematically, he might have had a greater opportunity to offer his reflections; given his vast knowledge of the subject, that would have been of great interest. Thematic organization might also have ameliorated the problem of occasionally rough transitions; the book has a habit of jumping from one event to another without developing a connection between them.



"The cow jumped over the Moon?—
What was she on?"

This absence of the larger picture is felt most acutely in the book's first half. President Carter comes across clearly here—as in many other accounts—as out of his depth, not capable of executing his duties well, and certainly not able to inspire confidence in the American people. While the election of 1980 was a late-breaking one, in retrospect the result does not seem to be nearly as big a surprise as it did at the time. Viewed in historical context, perhaps Reagan's most extraordinary feat in that cycle was his victory over the powerful moderates in his own party, which caused an important realignment within the GOP. Yet Shirley does not dedicate a great deal of space to reflecting on how this happened. His dedication is primarily to cataloguing every event that made it happen. After 600 pages, this absence of historical analysis leaves one wanting more.

But these are quibbles. Shirley has accomplished a great feat of scholarship and research, and it could not have come at a better time, as many conservatives are beginning to feel "déjà vu all over again." The current political climate is highly reminiscent of that of the late 1970s: On one hand, we have a president with an amazingly thin résumé, whose appeal to the electorate was based instead on his superior moral qualities, but who has since raised concerns that he might not be up to the job. On the other hand, we have a GOP divided into factions, squabbling with itself over minor issues, often to the point that dyspeptic Republicans seem most intent on undermining the party's broader goals.

These historical similarities add special value to Shirley's work. It should give conservatives and Republicans hope that victory is possible, despite the GOP's current problems. It should also provide a template to evaluate the Republican contenders for the presidential nomination. Conservatives should keep an open mind about the nomination: After all, many conservative heroes and leaders were not Reagan men in 1980.

Rendezvous with Destiny is an important, timely book that conservatives, Reagan admirers, and students of electoral politics will cherish and enjoy for years. Credit is due to Shirley for a monumental accomplishment. **NR**

Blighty Blight

DAVID PRYCE-JONES

Our TIMES
The Age of Elizabeth II
A. N. WILSON

Our Times: The Age of Elizabeth II,
by A. N. Wilson (Farrar, Straus,
496 pp., $30)

EVERY so often, someone really opinionated comes along to push his way to the front of the crowd, and A. N. Wilson is a fine example. Any number of serious publications carry articles by him bemoaning some aspect of the present, whether political, social, or aesthetic, of which he disapproves, and savaging whoever he thinks is to blame for it. Indignation and ridicule gush out of him. He reminds me of Wyndham Lewis, an old monster from between the wars who made a nuisance of himself by sounding off about everything all the time. Never mind the clamor, such chaps seem to suffer from graphomania, or the compulsion to write, indulging themselves with such know-all pretension that the reader ceases to care whether they are right or wrong.

Our Times contends that in the course of Wilson's lifetime, which happens to coincide more or less exactly with the reign of Queen Elizabeth, Britain "effectively stopped being British." Constitutional monarch that she is, the Queen could not have prevented the slippery slide, but Wilson still manages to criticize her for not putting on the brakes. The myths that once persuaded the British to think of Britain as great have been devalued, and there is no longer a common culture or anything like it. The country has unraveled, come adrift from its moorings, mislaid its identity. Bluntly he says that the England of his mother and his father no longer exists.

Since the 1960s, the Bright Young People have been spreading what might be called the cocktail-party line that Britain is over and done with, on its way to being a failed state, fit only for satire and mockery. Acclaimed stage and television shows, and in particular a magazine by the name of *Private Eye*, have cultivated this special kind of intellectual masochism. Its star performer was Auberon Waugh, whose style was to jeer at everyone for his or her faults, which as often as not were fictitious, the product of his fantasy. The purpose of such malice was obscure. Nominally conservative, he undermined everything he claimed to be standing for. Wilson, also nominally conservative, finds that *Private Eye* has been "an effective force for good in Britain," and that Waugh (now dead) was the most brilliant journalist of his generation. Imitating these models, he is in the fashionable swim, far less original than he might suppose.

Perhaps inconsistencies, contradictions, and even fantasies are bound to underlie an attention-seeking enterprise of this kind. Wilson complains about the loss of deference, for instance, saying that without it "much of the business of public life becomes impossible." Elsewhere, however, he takes back this statement on the grounds that "deference was always tinged with irony in Britain," and in any case whenever he mentions anyone in public life he himself makes sure to be so snide or outright rude that nobody can detect any deference in him. In Britain, he further complains, "everything reduces itself to triviality," while this book of his is a vast encyclopedia of trivia often culled from dubious or biased sources. Similarly, he says the times have an "ineluctable tendency" to turn events into farce and worthy dramatis personae into clowns—but that sort of reduction exactly sums up the whole Waugh-Wilson approach. Most curiously, someone who trumpets the myths and culture of former greatness describes that past and the present as "equally awful." Houses and bathrooms used to be in short supply; divorce was difficult and homosexuality an imprisonable offense; olive oil was sold in tiny phials at the chemist and table wine turned the teeth black. The England of his parents, it turns out, was not worth having.

A. N. Wilson reminds me of Wyndham Lewis, an old monster from between the wars who made a nuisance of himself by sounding off about everything all the time.

But how have things come to today's horrible pass? Contemporary history interests Wilson only to the extent that he can extract matter for editorializing out of it. Of course, the country sacrificed its position in the world by withstanding Nazi Germany; the presumption must be that war with Hitler was wrong since the collapse of British power followed from it and the economy has been unstable ever since. The Cold War, in Wilson's view, was waged between two superpowers equivalent in their lack of belief in themselves, and so it is to be seen as a confrontation between the KGB and Coca-Cola. (He concedes that socialism—by which he means Communism—did much harm.) Wilson skips just as lightly over other imponderable factors draining Britain of its identity, for instance mass immigration, multiculturalism, and, not least, the panicky insistence on joining the Common Market only to discover afterwards that this meant handing over major areas of policy to foreigners, and thus surrendering the hard-won centuries of self-government in Westminster.

A writer without a clear sight of facts and happenings, or perhaps unable to make sense of them, soon summons up irony and paradox, those twin mystifiers and helpmates of the axe-grinder. I gave up counting all Wilson's paradoxes and ironies. In a rather similar device that makes for suggestive imprecision, he uses the adjective "mysterious" time and again to cover what he cannot otherwise explain, for instance the nature of Queen Elizabeth, the sense of England derived from the plays of Alan Bennett, the Big Bang that supposedly revitalized financial practice, the character of Lady Archer and on the next page the financial dealings of her husband, and so on.

Gossip is Wilson's natural medium, and it suits his talent for invective. Everyone and anyone who has been in the public eye is fit for a character sketch that puts the worst possible complexion on him and his doings. Churchill still throws an immense shadow over postwar Britain, and so of course must be a prime target for debunking. By the time he was voted back into office after the war, the country, in Wilson's words, was "flyblown and stinking." As though to substantiate those adjectives, a couple of paragraphs later there is a reference, taken from the prime minister's medical adviser, to "Churchill's big, white, fat bottom." Here was "a drooling old reactionary, always half tight." Wilson rests his case by digging up a quotation from his mentor Auberon Waugh, who, typically, once wrote in *Private Eye*: "I have always maintained that Churchill should have been hanged at the end of the last war—whether for specific war crimes . . . or merely to herald a return to the civilised standards of peace."

The passage about Anthony Eden opens with remarks that he is known to have varnished his fingernails and was "easily the best-looking individual, of either sex," to have occupied the office of prime minister in this century. Is this some innuendo about his sexuality or a sneer about Margaret Thatcher's looks? Wilson goes on to generalize in his customary manner that many regard Eden as the most disastrous recent prime minister, "though there is so much competition for the role that attempts to draw up an order of prime ministerial incompetence [in this period] would be invidious." Eden's successor, Harold Macmillan, had hooded eyes, a mustache, "irregular and discoloured teeth"; he was a man so out of touch that he fainted in a train on learning of his wife's infidelity. In his era, the artifices by which public life had hitherto been carried on were stripped away, again "mysteriously"—yet another instance of how gossip comes to displace information or analysis. It's child's play to laugh at such prime ministers as Sir Alec Douglas-Home, Edward Heath, the "bonehead" James Callaghan, and even the "interesting" Margaret Thatcher (accused of dominating her entire cabinet by means of a foul temper), but his summation of Harold Wilson (no relation) is up to the standards of cruelty set by Auberon Waugh: "It was hard to imagine into what comforting retreat he could crawl, without the help of alcohol and the semi-merciful humiliations of early dementia."

Of course it is true that there has been much to deplore in these times, like the defection to Moscow of Kim Philby and other upper-class traitors, or the wretched story of the Prince of Wales and Lady Diana Spencer. Among Wilson's special villains are "town planners, spivs [British small-time criminals of the post-war era], bad architects, businessmen and politicians who believed in Growth," but Prime Minister Blair's destructiveness far outstrips the damage done by such as them. Blair undid the United Kingdom by granting devolution to Scotland and Wales, he handed Northern Ireland over to the gunmen who had been terrorizing the province, and he destroyed the old House of Lords. It is possible that these are steps in a decline that is irreversible, in which case England really will cease to be its historic self, instead becoming an undistinguished offshore part of the European Union, as Blair evidently intended.

There has also been much to satirize, for instance the legal proceedings surrounding publication of D. H. Lawrence's pretty silly novel *Lady Chatterley's Lover*; the affair with a good-time girl that led to the downfall of Jack Profumo, until then secretary of state for war; the phenomenon of the Beatles, whose success induced in them "a risible degree of self-importance"; and, above all, the spectacle of bishops and archbishops heedlessly junking the fabric of Christianity. Wilson makes the valid point that the artistic masters of his parents' time were Edward Elgar, William Nicholson, Henry James, and Joseph Conrad (the last two foreign-born, but let that pass), only to be replaced now respectively by Harrison Birtwistle, Gilbert and George, Ian McEwan, and Martin Amis.

Perhaps the old truth that there is an awful lot of ruin in a country no longer applies. Should the England of Wilson's parents really and truly cease to exist, then one small contributing factor among many others far more significant will be that they have had a son determined to stamp everything around him with the hysteria and aggression of his personality. **NR**

Television

The Road Goes On Forever

TERRY TEACHOUT

WHO has the best job in the world? When I was a boy, I had no doubt that it was Charles Kuralt, a balding, paunchy correspondent for CBS News who spent his days roaming around America in a battered white motor home, stopping along the way to file feature stories about plain-spoken, good-hearted men and women who carved merry-go-round horses by hand, made bricks out of mud, and led untroubled lives in towns even smaller than the one in which I grew up. Anyone who remembers *The CBS Evening News with Walter Cronkite* remembers Kuralt's "On the Road" segments, which ran every week or so from 1967 to 1980, and some of those memories are likely to be surprisingly sharp. Does Jethro Mann's name ring any bells? He's the fellow who loaned bicycles to the children of a village in North Carolina—for free. I saw him on *The CBS Evening News* half a lifetime ago, and I bet I could still pick him out of a lineup.

If you remember the Bicycle Man, you can get to know him again by ordering a copy of *On the Road with Charles Kuralt, Set 1*, a newly released three-DVD box set from Acorn Media that contains 76 "On the Road" stories, including some of the most celebrated ones. Kuralt's tribute to the men who built the Golden Gate Bridge is here. So is his Thanksgiving visit to a pair of Mississippi sharecroppers who put all nine of their children through college. So are a fair number of the other pieces that kept me tuning in to *The CBS Evening News* long after I parted political ways with its avuncular anchorman. Some are frankly sentimental, others light and

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charming. Virtually all of them remain watchable to this day.

Not only did Kuralt have an uncanny ability to sniff out heartwarming stories, but he was smart enough to keep the focus on his interviewees rather than himself. He was a stalwart and lifelong advocate of what he called “the tricycle principle,” which he formulated after watching a local TV newsman cover a children’s tricycle race. At the end of the story, the camera cut to the reporter, who was riding a tricycle. Kuralt winced at that kind of self-aggrandizement. “Keep yourself out of the story,” he said. “The people who are watching it are not interested in you.”

Instead of riding tricycles, Kuralt put his stamp on his “On the Road” pieces by coming up with exactly the right words to sum up the people he portrayed. This is how he ended his story about Alex and Mary Chandler, the sharecroppers who picked cotton and pulled corn in order to give their children more abundant lives: “There probably are no lessons in any of this. But I know that in the future, whenever I hear that the family is a dying institution, I’ll think of them. Whenever I hear anything in America is impossible, I’ll think of them.”

That kind of writing was what made Kuralt’s portraits inimitable. “I could have shot them on toilet paper,” said Isadore Bleckman, his longtime cameraman, “and he would have given them truth.”

The producers of *The CBS Evening News* were well aware of what Kuralt brought to the program. He hit the road around the time when conservatives were first starting to talk about political bias in the news media. Back then there were still only three TV networks, and Walter Cronkite and his fellow anchormen mattered to Middle America in a way that is no longer imaginable. Many of Cronkite’s viewers were deeply disturbed when he expressed his opposition to the war at the end of one of his 1968 newscasts. It had never before occurred to them that their beloved Uncle Walter might have a political agenda of his own—or that the stories that aired each night on *The CBS Evening News* might reflect that agenda.

TIM RUE/AP

Charles Kuralt

“On the Road,” by contrast, embodied no political agendas of any kind. “I have attempted to keep ‘relevance’ and ‘significance’ entirely out of all the stories I sent back,” Kuralt wrote in 1985. He wasn’t kidding. His sole purpose was to make Americans feel better about themselves at a time when many of them were starting to question the goodness of the land in which they lived: “Most Americans, it turns out, are not running for office, not running from the police, and not alienated from their society. Their lives are well filled, their nature is generous, and they are at peace with their neighbors.”

That was Kuralt’s agenda, and it came through loud and clear. “Sandwiched between the daily barrage of riots, wars, and demonstrations on the Cronkite show, Kuralt’s slices of Americana are like a two-minute ceasefire,” *Time* wrote three months after CBS aired the first “On the Road” segment. His importance to *The CBS Evening News* was to grow greater still. Throughout the Seventies, “On the Road” had the same tranquilizing effect on Cronkite’s viewers that Ed Murrow’s *Person to Person* telecasts had had on viewers a decade earlier. Murrow may have been the establishment liberal who socked it to Joe McCarthy, but he was also the handsome, deep-voiced gent who brought celebrities like Bing Crosby, Humphrey Bogart, and Groucho Marx into your living room every Friday night. Though Murrow’s critics assured him that *Person to Person* was show-biz pap unworthy of a newsman, he knew better. “Listen, do you know what I can get *away* with because *Person to Person* is a big hit?” he told one of them. That was what Charles Kuralt did for Uncle Walter.

NO MORE

Once they have closed the door,
That is the final day
And time will be no more.

Forget “the other shore”—
No earth, no sea, no way
Once they have closed the door,

No after, no before,
Nothing for clocks to say,
For time will be no more.

Vain the discarded core,
Useless the feet of clay
Once they have closed the door.

For soldier, queen, and whore
All persons of the play,
Time will be no more.

No time now to restore
This burden, this cliché.
Soon they will close the door
And time will be no more.

—ROBERT MEZEY

Like most TV stars, Kuralt wasn’t quite the man he seemed to be on the small screen. No sooner did he put the road behind him to become the host of *Sunday Morning* than he revealed himself to be yet another standard-issue school-of-Murrow liberal. “It is liberalism, whether people like it or not, which has animated all the years of my life,” he said in a farewell interview that aired shortly after he retired from CBS in 1994. “What on earth did conservatism ever accomplish for our country?” Nor was his private life in close accord with the homespun values that he celebrated on the air. After his death in 1997 it was revealed that the twice-married Kuralt had been keeping a mistress in Montana (he met her, not surprisingly, while filming an “On the Road” segment).

My mother, who was one of Kuralt’s biggest fans, never got over discovering that he’d been a philanderer. But now that America’s red–blue cultural chasm has grown wider than ever, I suspect she’d be inclined to forgive him his trespasses in return for being able to see him on TV again. For her, and for the rest of us who faithfully followed his wanderings up and down the backroads of America, *On the Road with Charles Kuralt, Set 1* will make a perfect gift. To spend a few comforting minutes with the likes of Alex and Mary Chandler is to be reminded of the existence of a country that is rarely seen on TV these days. “It’s refreshing to us to realize that the country isn’t in flames,” Kuralt said in 1968. It still is. **NR**

Film

Second Acts

ROSS DOUTHAT

At this time last year, I was griping about Hollywood's habit of releasing all of its most self-consciously Oscar-worthy efforts in a wild, desperate year-end pack. When it was decreed, soon after, that there would be not five but ten best-picture nominations for 2009, I braced myself for an even more frenzied Oscar rush: twice as many Holocaust epics, twice as many adaptations of Oprah-endorsed books and Broadway plays, twice as many glossy indictments of suburbia, twice as many movies directed by Clint Eastwood.

It didn't work out that way. The season's better films—*A Serious Man*, *Where the Wild Things Are*, *Fantastic Mr. Fox*, and *Up in the Air*—were spaced out, decorously, across the autumn. The crowd of Christmastime contenders was thinner and weaker than in years past, and the most transparently Oscar-driven pictures—*Invictus*, *Nine*, *The Lovely Bones*—seemed to evaporate in the frosty air, dismissed by critics and ignored by filmgoers. The holiday box office was dominated instead by movies that would have been at home in the meretricious, crowdpleasing months of summer: *Avatar*, *Sherlock Holmes*, *It's Complicated*, and *Alvin and the Chipmunks: The Squeakquel*.

The Squeakquel, I'm afraid, will pass unreviewed in these pages, but I did join the hordes who watched Guy Ritchie and Robert Downey Jr. reinterpret Arthur Conan Doyle's Great Detective as a kind of late-Victorian Jason Bourne, and the throngs who turned out to see how Meryl Streep's divorcée would cope with the complications of being romanced by her lusty ex-husband. Neither movie is much good, but both are worth seeing as vehicles for actors who have unexpectedly arrived in the prime of their careers: Downey in *Sherlock Holmes* . . . and Alec Baldwin in *It's Complicated*.

Careers are twisty things. Twenty years ago, it was hard to imagine that the Alec Baldwin who had just starred in *The Hunt for Red October* would hit his stride as a fat and fiftysomething supporting actor, swiping estrogen-soaked dramedies out from under Meryl Streep. And it was even harder to imagine Downey, then carving out a niche as his generation's bright young thespian with a massive drug problem, would hit his peak in his mid-forties, as the thinking person's action star.

UNIVERSAL

Meryl Streep and Alec Baldwin in It's Complicated

Yet here we are. Both men fell a long way down in the Nineties: Downey because of the drugs, of course, and Baldwin because of terrible career choices and a tabloid marriage to Kim Basinger. But both emerged from these disasters freer, in some sense, than most Hollywood celebrities ever seem to be, without the white-knuckle grip on their careers and public reputations that makes so many big names such a drag to watch.

Downey was freed to really enjoy stardom: He's like a teenage boy who went to sleep and woke up an action hero, and his recent blockbuster parts—first as Iron Man, and now as Holmes—have been buoyed by an infectious, pinch-me-I'm-dreaming kind of joy. And Baldwin was freed to give up on it: to take supporting parts, to find his best role on a sitcom (as Jack Donaghy on *30 Rock*), to be wide-bellied and middle-aged and make it work for him.

The crowds at *It's Complicated* are there for Streep, of course, but her performance is as smug and mailed-in as Nancy Meyers's paint-by-numbers script. It's Baldwin, as the hirsute, heavyset ex-husband, who went for the younger woman and now regrets it, who keeps the movie from disappearing completely down the rabbit hole of post-menopausal fantasy. *It's Complicated* makes sport of him at every opportunity—he's heavy, he's henpecked, he can't get his second wife pregnant, he misses the domestic world he walked away from years ago. But even mocked and humiliated, he steals the movie. He's the bear in the garden, a testosterone-laden housebreaker in Meyers's soft-focus Bobo dreamworld of fine foods, fresh-cut flowers, and marble countertops. He's contained, but not controlled. He gives away his dignity, but keeps his virility intact.

In *Sherlock Holmes*, Downey is working with a better part, but even more preposterous material. Ritchie has a fine Watson in Jude Law (who should bury his beauty in mustachioed supporting roles more often), and I didn't mind the movie's slam-bang style: Conan Doyle's Holmes was more prone to fisticuffs than readers are likely to remember, and more apt to mix it up with London's seedier elements. (It was his brother Mycroft, all genius, girth, and sloth, who did his deducing from the drawing room.)

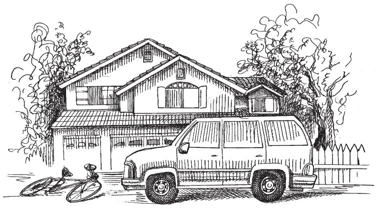
But if you're going to make a movie about a master detective, you have to give him a mystery worth detecting. Instead, Ritchie and his screenwriters serve up a ridiculous farrago of lousy Hollywood forays into Victoriana (*Wild Wild West*, *From Hell*, *The League of Extraordinary Gentlemen*), complete, alas, with a quasi-supernatural villain who wants to Take Over the World. Nothing could be more predictable—or less Holmesian.

But focus on Downey's avid performance rather than the plot, and you'll find yourself drawn in, entertained, and satisfied. Indeed, once the villain is undone and the closing credits roll, you may even find yourself looking forward to the inevitable sequel.

I know I am—so long as they hire Alec Baldwin to play Mycroft. **NR**

The Straggler

Car Talk



JOHN DERBYSHIRE

'THE parking brake, honey. Parking brake."

"Sorry, Dad."

She releases the parking brake and we move out into our quiet suburban street. Signaling, she drives nicely to the corner, stops, looks, and makes a graceful turn in the direction of the village. Coming up to her 17th birthday, my daughter will soon take her driving test. Discounting as best I can for parental partiality, I believe she is a good driver, cautious and sensible. My trips as her legally required chaperone are a stress-free pleasure. Reverse parking is still a problem; but then, it's still a problem for me, after 40 years of driving. In any case, there are cars now that will do the job for you. The Artificial Intelligence boffins tell us that the completely self-driving automobile is only a decade or so away. For a little while longer, though, our youngsters must be trained to drive.

Since I have been consigned to passenger limbo, my mind wanders. I am surprised at Nellie's skill as a driver. Also pleased, as it spares me the vexation of teaching, a thing for which I have utterly the wrong temperament. I did teach my wife to drive (in Manhattan!) but the marriage barely survived. I have been making up for it ever since by acknowledging her *droit de maîtresse* to the newer of the Straggler family's two cars—currently a 2009 Toyota, which our daughter is strictly prohibited from driving. Our driver-training excursions are conducted in Dad's 1993 Ford, to the trainee's disgust.

While pleased with the girl's confident skill, I regret the absence of any detectable excitement or pleasure on her part. Learning to drive is, for her, just one of the duller social passages, like orthodontics. That is sad. When I first took to the wheel, driving was still, in England at least, *motoring*. Cars were thrilling: not just the driving of them, but talking and learning about them, observing and comparing them, spending Saturdays fixing them in a friend's yard (a pastime for which you nowadays need a Ph.D. in electronic engineering). The embourgeoisement of driving, though well advanced, was still meeting spirited resistance from opponents of seat belts, speed limits, and drunk-driving laws.

That opposition was personified by J. Bonington Jagworth and his Motorists' Liberation Front, both of which were imaginary creations of the great satirist Michael Wharton, who had a column in the London *Daily Telegraph* from 1957 to 2006, and who was one of the few writers of any note who might be described as reactionary. He was in fact given to quoting approvingly from leader articles in his own favorite newspaper, the *Feudal Times and Reactionary Herald*, also imaginary. (Or from which, if it actually exists, I should very much like to get some commissions.)

André Gide liked to scandalize enquirers by saying: "Je ne suis pas tapette, monsieur, je suis pédéraste!" ("I am not a fairy, sir, I am a pederast!") In a similar spirit I am sometimes tempted to assert: "I'm not really a conservative—more of a *reactionary*." It's not true, though. I wonder if it really *can* be. It is all very well to speak of standing athwart history yelling "Stop!" but history will not stop, and there are some respects in which even the most sincerely conservative of us would not wish it to. Even Michael Wharton must have availed himself of modern medicine and transport. (In the 1990s he claimed to have acquired a computer, which he named Ughtred St. John Mainwaring.) Did he drive? I make a mental note to ask John O'Sullivan, who actually knew him.

It was once possible to be a true reactionary. One thinks of the third Duke of Norfolk, who, when someone quoted the Bible to him, retorted: "I never read the Scripture nor never will read it; it was merry in England afore the New Learning came up; yea, I would all things were as hath been in times past." That was in 1540, though. Such a reactionary position now can only be a pose, though perhaps no more false a pose than many that are called "progressive."

We reach the village and turn smoothly into Main Street. There are people on the sidewalks doing what people ceaselessly do nowadays: peering and tapping at tiny gadgets held in their hands, or talking to invisible counterparties via a doohickey wedged in the ear. Who on earth has so much to talk about? Eighty percent of what I say is polite nothings, and half the rest is idle speculation, probably wrong. Yet I am taciturn by early-21st-century standards. They text, they tweet, they talk, while shopping, eating, traveling. It's done by electromagnetic waves, so I suppose a sphere of inane babble is expanding outwards into the universe at the speed of light, alerting the slave traders of Arcturus and the anthropophagi of Betelgeuse to our presence. I speak here from smug self-righteousness, as the last person on the eastern seaboard who does not own a cell phone.

Yet on this too I shall no doubt eventually yield. As tiresomely anti-social as these gadgets are, I can see merits. Waiting under the Christmas tree for Mrs. Straggler this year was something called a Garmin, a wallet-sized gadget to give directions when driving. I was aware of these things—automakers have been offering them as optional extras for several years—but had never used one. The sophistication of the Garmin is astonishing. It not only knows every lane and alley in our town, it even tells us local speed limits. I have staged some reactionary theater for the sake of form, grumbling: "What's wrong with *maps*?" I can't deny the charm of the gadget, though. Its voice, though affectless, is not gratingly robotic; and in a family containing two bumptious teenagers, affectlessness of speech is not necessarily unwelcome.

So while we tool sedately down Main Street in my Ford Clunker, we are simultaneously hurtling on into the unknowable future. Technologically, humanity is at an interesting point. The clanking heavyweight products of the machine age are merging with tweeting handheld dispensers of information, Big Iron mating with Little Silicon. It seems to me that Big Iron was a lot more fun, at least for the male of the species; but that, I suppose, is a reactionary point of view. **NR**

Happy Warrior BY MARK STEYN

The Problem and the Profile

If you're Umar Farouk Abdulmutallab, Sept. 11, 2001, was a third of a lifetime ago. He was a 14-year-old pupil at the British school in Lome, Togo, when Osama bin Laden remade the New York landscape. I doubt 9/11 resonates terribly fiercely in the breasts of, say, the average Californian 23-year-old, for whom the intervening years will have brought many lively diversions. But the best part of a decade later, the Knickerbomber loaded up his undies for a one-man reprise of that magnificent blow against the Great Satan. This time, hundreds would die in the air, and more on the ground, assuming the debris fell on the few remaining inhabited blocks of metropolitan Detroit.

He was a good choice: A well-spoken, Westernized Muslim from a respectable family, born in Nigeria, seduced in London, trained in Yemen, booked through Amsterdam, seated where he could do the most damage, and ordered not to light up his scanties until over the American metropolis.

DONNA McWILLIAM/AP

That's pretty sophisticated. In return, the TSA imposed even more irrelevant prohibitions on you, me, and everyone else. That's pretty stupid.

But what can you do? We're told by the administration that Mr. Abdulmutallab wasn't actually on the no-fly list proper, only on the standby list for the no-fly list. But roll your eyes at the Security Kabuki while in line at Newark and some vindictive clod will fast-track you and your four-year-old kid onto it for the next decade.

This is where we came in. In the fall of 2001, Transportation Secretary Norm Mineta was all but declaring it a source of national pride that 87-year-old nuns were being as aggressively searched as young Saudi males. More so, in fact. No profiling for us, no sir. That's fine for some fantasy cop show in which you're trying to track down a serial killer, but in the real world of Secretary Mineta there are 8 million stories in the Naked City and he wants to hear all of them before drawing any conclusions. Eight years on, the granny patdowns are the responsibility of Janet Napolitano and the TSA. New pol, new acronym, new cap badge, same jokes.

In the least unserious of their otherwise risible reactions to the Pantybomber, the United States government announced that henceforth citizens of ten "countries of interest" and four terror-sponsoring states, from Nigeria to Pakistan, would be subject to additional security. It has taken almost ten years for "Homeland Security" to venture this first tentative step toward recognizing that the 7 billion residents of Planet Earth do not all pose the same risk.

Of course, if you're a Nigerian Christian, you pose no security risk, either. Nigerian Anglicans—of whom there are more in the pews of a Sunday morning than in Britain, Canada, and America combined—have differences with the Episcopal Church over its curious fetishization of gay bishops, but not to the extent that they're minded to fill their gusset with PETN and book a flight to O'Hare. Yet Nigeria's Christians will now be hauled off for secondary screening.

On the other hand, the threat posed by Yemen and Pakistan is not confined to those who travel on Yemeni and Pakistani passports. There are many Muslims with Western passports who shuttle back and forth between their countries and ours. Indeed, the flight routes between Britain and Pakistan are some of the busiest in the world—a lot of innocent stuff like picking up the child bride, but some trips whose purposes are not so clear.

Come to think of it, if we're profiling, why not the Brits? Americans do the shoeless shuffle for every 40-minute puddlejump because of one British subject—Richard Reid, the shoe bomber. Americans dutifully put their restricted quantities of shampoo and cough medicine in approved plastic sacks because of more British subjects—the Heathrow plotters. And now Americans will be forbidden to go to the bathroom or read a paperback book or whatever halfwit stricture the TSA has settled on this week because of a British university student, Mr. Abdulmutallab.

Obviously—although less obviously than a decade ago—not every Briton is a terrorist risk: One would probably not need to screen David Beckham, Camilla, Duchess of Cornwall, Rod Stewart . . . Nevertheless, according to the *New York Times*, of Britain's half million university students, one-fifth are Muslim. And, according to a poll by the Centre for Social Cohesion, one-third of British Muslim students favor a global caliphate and believe killing in the name of religion is justified. Presumably only a small percentage are so gung-ho that they'd be willing to stuff the explosives in their briefs. But they provide a large comfort zone for the jihad to operate in.

More important, the very normalcy of their views makes the "security" system's job impossible. After all, these views can hardly be "extremist" (President Obama's preferred evasion) if they're entirely routine. And even the Bush concept of a "war on terror" implicitly concedes that you can share all the goals of Mr. Abdulmutallab and his trainers in Yemen but, simply because you're not prepared to blow up over Michigan in service to them, be perfectly respectable.

From 9/11 to Christmas Day 2009 was eight years and three months. Nudge the calendar forward a similar distance, to the spring of 2018. What proportion of British students will be Muslim by then? And what proportion of them will support sharia, the new caliphate, and death by apostasy?

We cannot win this way. And if we do not change course soon, we will surely lose. **NR**

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